

Conflict Transformation and Restorative Justice Manual

**Foundations and Skills
for Mediation and Facilitation**

Fifth Edition

Michelle E. Armster and Lorraine Stutzman Amstutz, editors



**Mennonite Central Committee
Office on Justice and Peacebuilding**
Akron, Pennsylvania
2008

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Additional editing provided by Veronika Hase, Patricia Haverstick and Kristin Reimer. Layout is by Beth Oberholtzer Design, Lancaster, Pa. Cover design by Fred Yocum, Mennonite Central Committee.

MEDIATION AND FACILITATION TRAINING MANUAL, fifth edition
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Previous editions:

- 1989, John Paul Lederach and Alice Price, editors
- 1992, Alice Price, editor
- 1995, Jim Stutzman and Carolyn Schrock-Shenk, editors
- 2000, Carolyn Schrock-Shenk, editor

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International Standard Book Number: 0-9642003-0-9

Printed in the United States of America

First printing 2008

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Acknowledgments

The fifth edition of this manual has been a long time coming . . . too long for those of us who have been working on it in the midst of doing many other things. There are multiple reasons for the delay but one of the more substantial is the departmental shifts that have occurred within our MCC U.S. Peace and Justice Ministries cluster. Throughout the history of our cluster the departments of the Office on Crime and Justice and Mennonite Conciliation Services have operated separately. Over the past seven years we have come to recognize how much of our work and underlying philosophy overlaps. We made the decision two years ago to combine our two desks and what emerged was the MCC U.S. Office on Justice and Peacebuilding. Suffice it to say, the departmental shift made this edition more exciting, as well as challenging to work on.

During the course of the revision, we had to say good-bye to our dear friend and colleague, Kristin Reimer, who had the creative ability to keep us on track and to do much of the legwork to keep the project going. She kept us grounded when we would stall the project with statements such as, “But shouldn’t we include this?” We miss her and are grateful for her continued support through her editorial work in this edition.

We have no doubt that this edition would not be in print without the sheer perseverance of our administrative assistant, Jennifer Linder Miller. How she continues to love us embodies her level of commitment to the work of peace and justice. She picked up the many pieces we continued to drop and updated our timeline (even taping it to our walls) in the hope that we would finally take it seriously. Jen has since left us and we miss her. She gives new meaning to the term “long-suffering” and we know that we need to acknowledge that in print.

And, finally, our great appreciation to the many writers who contributed. Many of you have revised your article for this edition and many are new voices that needed to be heard. Thank you for your work in putting your words and your expertise down on paper. Thanks also to the many organizations who have given permission to reprint their work.

We trust that this edition will contribute to the work you all are doing around the world to live out the principles and practices of peace and justice.

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CHAPTER 1

Peacework and Faith



Introduction to Chapter 1: Peacework and Faith

Peacebuilding in its most compassionate form is not a competitive form of activity. Viewed in this light, the most valuable forms of peacebuilding will nurture, support and sustain the development of an infinite variety of other forms of mutually beneficial peacebuilding, community revitalization and ecological sustainability initiatives.

STEFAN PASTI, FOUNDER
INTERFAITH PEACEBUILDING AND COMMUNITY
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Pacebuilding and faith are mutually inclusive for many of us. It seems appropriate, therefore, to begin chapter one with a conversation about the theological foundation that undergirds and sustains us in the journey of peacebuilding in our individual lives, in our churches, in our communities and in our world.

In this chapter, we reflect on specific texts that articulate some of our theological assumptions regarding conflict, violence and peacemaking. We are challenged to connect to our spiritual rootedness and read these texts in light of the entire biblical message; a message that we believe calls us to be peacemakers and to do justice.

At the core of our Anabaptist theology is the belief that peace and justice are interconnected and that the values and principles we live by involve relationships and social structures that address individual and community needs, particularly when conflict or harm occurs. While this chapter focuses specifically on those theological understandings, our hope is that you will see a theology of conflict, peacemaking and justice as a common thread throughout each of the chapters.

Lorraine Stutzman Amstutz
Co-Director
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Conflict Resolved or Conflict Created?

The Creative and Transformative Nature of Conflict to Address Systemic Injustices and Power Inequalities

Timothy Seidel

Conflict, like violence, is always present in society. Whether in direct forms or in latent forms, recognizing the existence of conflict becomes a matter of what one sees or chooses to see given one's position of relative privilege in society. We are all always part of conflict in some form or another, and therefore we all have a role to play in addressing conflict and effecting change in our society.

And herein lies a persistent tension in the field of conflict resolution. It is a tension that Joseph Scimecca named fifteen years ago in his article "Theory and Alternative Dispute Resolution: A Contradiction in Terms?" (1993) when he pointed out the concerns over this growing field becoming a means for social *control* rather than social *change*. It is a tension between two competing forces within society: to approach conflict with the purpose of resolution for the sake of harmony or with the purpose of creation for the sake of change.

Scimecca in particular cautioned against the unreflective growth of this field, pointing out that "if it is to be more than another mechanism of social control, [it] must take the unequal distribution of power into consideration and try to resolve the dispute without assuming that the parties are equal and thereby, by default, coming out on the side of the more powerful" (p. 217).

Depending on which "lenses" we are looking through—for example, individualistic or systemic lenses—we will understand conflict in certain ways. If, for example, "the fundamental principle of individual responsibility is seen as the cause of the conflict," we will develop a focus that "enhances social control by not looking to structured inequalities in the society as a reason for conflict." Grievances, Scimecca goes on to describe, will be trivialized and "the basic social structure is rarely, if ever, questioned" maintaining the assumption that "rational individuals should be able to resolve their conflicts, and if they cannot, then the problem lies with them" (p. 217).

This analysis too often leads to an understanding of conflict that is framed in terms of perception rather than power. Yet, Scimecca points out that from the perspec-

tive of Weberian conflict theory, "the role of power must be assessed, before the parties can deal with misunderstandings and any lack of communication" (p. 218).

"By focusing upon power, and by extension empowerment, Weberian conflict theory enables the practitioner to help the poor, to help those who do not have access to the law. In particular, it would follow that if unequal power leads to conflict, than empowerment of the less powerful person or group would facilitate resolution." And so, "by proposing a theory based on power and empowerment, the locus for resolution is shifted to justice, whether it be for the individual or for the community" (p. 218).

In his final analysis, Scimecca challenges conflict resolution theorists and practitioners saying: "Via an emphasis upon power as the staple of a theory of conflict and empowerment as the basis of conflict resolution, ADR [Alternative Dispute Resolution] could do what it was originally designed to do—help the poor. If not, ADR will continue to remain an instrument of social control, a process to keep the have-nots in their place" (p. 219).

Laura Nader (1991) in her article, "Harmony Models and the Construction of Law," points to some of the same problems within conflict resolution that Scimecca recognizes. Nader points out that harmony models that seek to eliminate conflict can in fact be used ideologically as a powerful form of direct and indirect control (p. 44). "Harmony may be used to suppress peoples by socializing them toward conformity in colonial contexts" (p. 45). Nader makes the connection between the spread of harmony models as control or pacification techniques in colonial as well as missionary contexts:

The production of harmony, the movement against the contentious, the movement to control the disenfranchised, and the loss of concern with rights created a model of law that was intolerant of conflict, its causes, and its expression. An intolerance for strife seeks to rid the society of those who complain—'love it or leave it'—and by various means attempts to create consensus, homogeneity, and agreement. (P. 52)

And so, an honest look at the power dynamics in any given conflict can reveal the underlying motivation toward either the resolution or the creation of conflict.

This challenge pushes us to consider the deeper needs operative in conflict—whether in direct or structural forms—and reveals that an analysis of conflict with a consideration of “needs” alone is short-sighted and naïve if it does not take into account 1) the cultural constitution of those needs¹ and 2) the power differential that exists between the parties. Here we can fall easily into the great danger that so many of us as conflict resolution theorists or practitioners are vulnerable to—becoming agents of social control.

Dismissal of power from the equation precludes any opportunity for “empowerment,” a necessary action for social justice. Recognizing the myth of neutrality and objectivity, one discovers that to not take a position in ignorance of the sources of power in the conflict is to align oneself with the status quo that by definition maintains the dominant position of power. Some conflict resolution theorists such as John Burton (1990) have spoken of the need for conflict “provention”—a constructive effort dealing with systemic issues of imbalance through the promotion of conditions that create cooperative relationships—for sustainable peace; and though he recognizes the need for systemic change, he does not offer a viable path to peace if he does not consider issues of power. Relationships do not just naturally become cooperative; no amount of “satisfiers” will cover up power dynamics that either grant or deny *access* to needs fulfillment.

In our conflict resolution discourse, issues of conflict in regards to the experience of Native Americans, African Americans, Latino Americans, Asian Americans, Arab Americans, or other minority groups in the United States with the dominant social and cultural structures are hardly discussed. These conflict realities may be some of the most difficult to be encountered, but yet they are seldom given extensive consideration in our discussions of theories and models of conflict resolution. They are conflicts that exist within our society, right in front of us every day; and they are conflicts that deal most intensely with issues of power, change, and culture. But for those of us privileged enough to be in elite institutions, with the right skin color or the proper accent to our English, these conflicts are seldom real. And we avoid them at all costs because they are conflicts that bring a subjective demand on us as parties to the conflict; they indict us as perpetrators of indirect forms of violence, perpetuating the structures of oppression that continue to deny equal access to those people of our society at odds with the dominant social order.

It is characteristic of America, or any other inherently ethnocentric society for that matter, to have so much to say about the problems of the rest of the world without paying much attention to getting one’s own house in order. Conflict resolution must engage in a cultural analysis that fosters self-reflexivity—a self-reflexivity that recognizes those conflicts at home and necessitates the decision to take an interested position for “positive peace” and social justice.

To ignore the power dynamics inherent to the social realities of the U.S. is to deny any agenda or action for social change. For again, a “neutral” position that turns a blind eye to the power imbalance by default advocates the status quo structures and precludes any opportunity for social or political change. Only a conflict resolution approach that claims a specific agenda for empowerment and liberation will hold relevance and credibility, and avoid the dehumanization and domination that characterizes the role of agent for social control that we seek to avoid (Longchari & Ayindo). And only a conflict resolution approach that seeks vigilant self-awareness with intentionality can begin to hold any relevance to the concrete historical realities of human beings and their real-life human needs.

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Note

1. Here I am moving beyond seeing “culture” with a strict interpretive stance and assuming somewhat of a critical posture that considers the dynamics of power; where culture is seen as a site of struggle and a place where multiple interpretations come together, but where there is always a dominant force.

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Shalom: The Road Taken

Dalton Reimer

I love climbing to the top of a hill where I can see for miles in all directions. A highway turnout above a valley or a tall building will also do. In these high places, I am drawn to pick out the places below where I and my fellow travelers have been and point out where we will yet be going.

As we begin this new century and millennium, it is a good time to look back at our lives and history and ahead to our future. We have just ended what has been arguably the most violent century in human history. More than 100 million persons lost their lives last century as a result of war alone. And murder, in the view of criminologist Colin Wilson, did “not really come into its own until the twentieth century.” Today, even the children kill.

From the beginning, God has had a vision of shalom—of peace—for the world. Throughout Scripture, there are references to God’s desire to establish his shalom on earth. As servants of God, we journey towards this shalom community. But how do we as Christians respond to violence and conflict today? What does God’s vision of peace give us for the present and the future?

To get our bearings, I know of no better place to look than the Bible. What does it teach us about violence, conflict and peacemaking? Like the hill and mountain tops, the Bible gives us the larger view from a high place.

In the Beginning

As we look at where we have been, we see in the far distant past the start of our journey. “In the beginning God created the heavens and the earth,” the book of Genesis boldly begins (Gen. 1:1). And God’s creation was “good.” Seven times, as an artist stepping back to examine his developing masterpiece, God viewed what he was making and proclaimed it to be “good”—indeed, the seventh time as “very good” (Gen. 1:4, 10, 12, 18, 21, 25, 31).

But the goodness of God’s creation was soon marred by sin. Eve and Adam disobeyed God, and the shalom—the peace—of the idyllic garden of Eden God had created and placed them in was destroyed.

Shalom, a Hebrew word, is often translated into English as “peace,” but it means much more than the

simple absence of tension. In *Shalom, The Bible’s Word for Salvation, Justice and Peace*, Perry Yoder (1987) identifies three dominant meanings of shalom in the Old Testament. Shalom sometimes means “material well-being and prosperity” (Gen. 37:14, Ps. 38:3, Jer. 33:6–9), sometimes just and right relationships (1 Kings 5:12, Isa. 32:16–17) and sometimes “straightforwardness” as in speaking truth (Ps. 34:14).

Overall, shalom describes a state of goodness, where all is right, just, truthful, whole, complete and harmonious. It is the condition of Eden before the fall and God’s vision for his broken world after the fall.

How, then, is God’s vision of shalom realized in a post-Eden, broken world? By looking back over the biblical landscape, we can find some answers to that question.

Signpost 1: I Am My Brother’s Keeper

The first part of our post-Eden human journey was a long detour into violence, beginning with Cain’s murder of his brother Abel (Gen.4:1–16) and ending with the flood (Gen. 6–9).

God clearly was not pleased. “We must not be like Cain,” the New Testament affirms (1 John 3:12). We, too, must say no to violence, the destroyer of shalom.

But we must also say yes to Cain’s defensive question, “Am I my brother’s keeper?” (Gen. 4:9). Cain’s implied answer to his question was no, but God’s answer was a clear yes. Beginning with those closest to us—our brothers and sisters and family—we are each other’s keepers. Joseph, in the final story of Genesis, models best the meaning of being a “keeper.” He forgave his brothers and cared for them, even though they had done him great harm (Gen. 50:15–21).

“I am my brother’s keeper” is our first signpost on our journey toward the recovery of God’s shalom in a post-Eden world.

Signpost 2: Love God & Your Neighbor

The second signpost grows out of our life together in community. In our historical journey, God determined to begin anew after the flood by creating for himself a special people through whom all the families of the

earth would be blessed—that is, a world where shalom might be realized. So God called Abraham and Sarah to parent this special people (Gen. 12:1–3).

All peoples of the earth require an ethic—or rule—to live by. Usually, some form of a “constitutional convention” is called. In the case of ancient Israel, God spared them the convention and simply gave them a law.

This law, though elaborately detailed, was anchored in two fundamental principles: “You shall love the Lord your God with all your heart and with all your soul and with all your might” (Deut. 6:5) and “you shall love your neighbor as yourself” (Lev. 19:18).

“And who is my neighbor?” a lawyer defensively asked Jesus one day (Luke 10:29). Like Cain, the lawyer, too, followed his human instinct to draw boundaries. He should have known better. The law he supposedly practiced made it clear that neighbor included more than his own kind, and that he was also to love the alien and the stranger in the land as himself (Lev. 19:33–34; Deut. 10:17–19). But Jesus patiently responded with the telling tale of a despised Samaritan who modeled being a neighbor to the lawyer’s kind, who were of a different ethnic and religious persuasion (Luke 10:25–37). Being a neighbor is to know no boundaries.

Love God and love your neighbor are written large on the second signpost in our journey towards God’s shalom.

Signpost 3: Lay Down the Sword, Take Up Your Cross

A fork in a road forces us to choose. Shall we go right or left? Our third signpost has to do with such a choice.

As we look back, we see that ancient Israel repeatedly failed to realize God’s shalom. God’s judgment for their failure was severe, but he did not leave them without hope. He promised them a Messiah who, among other things, would be “a Prince of Shalom” (Isa. 9:1–7). But when Jesus came, people found his version of the Messiah confusing.

Within ancient Israel itself, competing visions of how God would establish his shalom community on earth had developed over time. The Exodus experience provided one model. God, who had condemned the family violence of brothers in Genesis, interestingly chose violence as the means of liberating his people from slavery in Egypt. Furthermore, God then pursued a strategy of military conquest to provide a home for them in the land he had promised. Indeed, the Exodus model portrayed God as a triumphant warrior (Exod.

15). With God in the lead, ancient Israel marched to the tune of holy war. Holy war was the prevailing pattern in the Israel of conquerors, judges and kings.

In the Israel of the later prophets, however, a contrasting vision began to emerge. We find this vision articulated most clearly by the prophet Isaiah. In this vision the recovery of God’s shalom is seen as coming not through a conquering king, but a suffering servant (Isa. 53). A suffering servant and a conquering king are strikingly different.

These differences over the means to establish God’s shalom community caused first century Jews to be confused by Jesus. He did not fully match their expectations of the Messiah. They hoped that he would once again be their liberator as in ancient Israel.

So, when Jesus began to share his understanding of messiahship in the servant terms of suffering, death and resurrection, Peter quickly took him aside and rebuked him (Matt. 16:13–28; Mark 8:27–9:1; Luke 9:18–27). Jesus, in return, most strongly rebuked Peter: “Get behind me, Satan! For you are setting your mind not on divine things but on human things” (Matt. 16:23, Mark 8:33).

This dramatic exchange set the direction for all that followed. At this fork in the road, Jesus chose the narrow way of the cross over the broad way of the sword. And, as the poet Robert Frost has said about such choices, “that has made all the difference.”

Peter, however, was a slow learner. So when he took his sword in the spirit of holy war and cut off the ear of the high priest’s servant at the time of the arrest of Jesus in the garden, Jesus made it very clear: “Put your sword back into its place; for all who take the sword will perish by the sword” (Matt. 26:52). Furthermore, Jesus said he could call on an army of twelve legions—72,000—of angels if he chose, but that was not his way (Matt. 5:53–54).

The cross is the way to God’s shalom. Its reach is cosmic. Through Christ, “God was pleased to reconcile to himself all things, whether on earth or in heaven, by making peace through the blood of his cross” (Col. 1:19–20).

Jesus, furthermore, challenged his followers to also choose the way of the cross. “If any want to become my followers, let them deny themselves and take up their cross and follow me” (Matt. 16:24; Mark 8:34; Luke 9:23). In *The Cost of Discipleship*, Dietrich Bonhoeffer (1959) said that when Christ calls us, he bids us come and die.

The cross stands tall at the fork in the road. The new way to God’s shalom begins at the cross.

Signpost 4: Walk in His Way

A new way requires a new ethic or rule, and the teachings of Jesus set forth this new rule.

Nowhere is this new rule stated more concisely than in Jesus' sermon from a mountain (Matt. 5–7). Jesus made it clear that he did not come to dismiss the old, but to “fulfill” the old (Matt. 5:17). The Old Testament's first lessons of love for God, brothers and sisters, and neighbors were foundational for Jesus. He built on them. But he also did not hesitate to reshape that which was old into something that was new.

Reconciliation emphasized. Jesus elevated family life to a new level. Killing a brother clearly had been prohibited from the beginning, and that was affirmed. But Jesus went on to say that nursing anger or hating a brother or sister was akin to murder. He called for quick reconciliation between brothers and sisters (Matt. 5:21–26). The meaning of adultery as a physical act was expanded to include the disposition of the heart and mind (Matt. 5:27–30). And easy divorce was curbed (Matt. 5:31–32).

Hate, adultery and easy divorce in the family are destroyers of shalom. Reconciliation is the creator of shalom.

Integrity the norm. Relationships with others, Jesus said, are to be marked by a new standard of truth-speaking. In place of swearing to attest to one's truth, one's “yes” should simply be “yes” and one's “no,” “no.” One should be so trustworthy and credible that no more is required (Matt. 5:33–37).

Overcome evil with good. Justice rooted in the old equivalency principle of “an eye for an eye and a tooth for a tooth” was radically transformed by Jesus (Matt. 5:38–42). “Do not resist an evildoer,” he said, “but if someone hits you on the right cheek, turn also the other; if someone demands your outer garment, give him also the inner; or if someone forces you to go one mile, go a second.”

Such a strategy is anything but passive. It calls for seizing the initiative in the face of oppression, but with a strategy of goodness rather than vengeance and violence. “Do not be overcome by evil, but overcome evil with good,” was the Apostle Paul's later summary of the principle (Rom. 12:21).

Love's Embrace Enlarged

Finally Jesus extended the embrace of love by drawing in even the enemy (Matt. 5:43–45).

Brothers and sisters are important, but Jesus said, “if you greet only your brothers and sisters, what more are you doing than others?” (Matt. 5:47). And the received tradition that “you shall love your neighbor and hate your enemy” simply does not reflect the nature of God, who “makes his sun rise on the evil and on the good, and sends rain on the righteous and on the unrighteous.” Like God, who shares his goodness with all, Jesus challenged his followers to “love your enemies and pray for those who persecute you, so that you may be children of your Father in heaven” (Matt. 5:44–45). For “there must be no limit to your goodness, as your heavenly Father's goodness knows no bounds” (Matt. 5:48 REB).

In teachings like these, Jesus set forth a new way to God's shalom on earth. Angels had associated his birth with the coming of “peace on earth” (Luke 2:14) and through his death, resurrection and teachings he showed the way.

The Road Ahead

God's shalom movement will yet someday be climaxed by new heavens and a new earth. The old will be made new, and goodness will again prevail. In the vision of the Apostle Peter, “we wait for new heavens and a new earth, where righteousness is at home” (2 Pet. 3:13). That is our hope.

But our waiting cannot be passive. God has called us to the continuing ministry of reconciliation in this broken, post-Eden world (2 Cor. 5:16–21). Though centuries change, God's vision for the journey remains the same. As always, he calls his people to build places along the way where his shalom is “at home.”

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70 x 7: A Theology of Reconciliation

Elaine Enns

Matthew 18:15–17 is well known in some Christian settings as a text that summarizes a process for handling conflict within the church or between church members.¹ These verses, however, are too often interpreted in isolation. When understood in the context of the entire chapter, we see an unfolding reflection upon power, offense and forgiveness. This narrative exhorts individuals to be reconcilers, and the church as a whole to be a reconciling community as an alternative to the spiral of retribution found in the dominant society.

Jesus's Challenge to Hierarchical Systems of Power (v. 1–5)

Matthew 18 begins with a question of power. We need not be shocked at the disciples' query concerning "greatness" (v. 1). In fact, their aspirations for power reflect concerns common to all of us. The hierarchical institutions and social structures in which we live and work generate anxieties in everyone concerning status, prestige and professional advancement. Jesus presents a child and answers, "Whoever becomes humble like this child is the greatest" (v. 4). Jesus is not referring to an attitude of innocence here, but to social standing. In first-century Palestine, children were at the bottom of the social scale, had no rights and were the property of their parents. Whereas the disciples aspire upwards, Jesus invites them to solidarity downwards.

Exhortation and Consequences to Potential Offenders (v. 6–10)

In verses 6–10 Jesus further dramatizes the issues of power and vulnerability with a series of exhortations warning the disciples not to "scandalize" (take advantage of) those with less power. While the disciples are concerned about being the "biggest," Jesus is concerned with not taking advantage of the "little one" (literally the "tiniest"). Whether our exercise of power is redemptive or abusive will be determined by our treatment of and relationship to the weak and marginalized.

Our church communities are organic bodies in which we are all dependent on each other. When persons abuse their power someone is violated, damaged or left out. Jesus begins his exhortation warning poten-

tial offenders to be vigilant against dominating action (v. 6). Jesus is not naive; he acknowledges that injustice and violation will occur in this world as a result of the abuse of power (v. 7). But the church is called to embody an alternative model in which such abuse is abnormal and unacceptable.

This is followed by a warning to Christians not to use hurtful behavior (hand, foot and eye were considered the symbols of agency in antiquity). Verses 8–9 state emphatically that it is far better to deprive ourselves of something than to get it at someone else's expense. Jesus exhorts us to not be "thoughtless" towards marginalized people, as if they were dispensable and without value (v. 10).

Central Parable Regarding the Least/Lost as the Foundation of the Community (v. 12–14)

The central parable of the lost sheep (v. 12–14) can be read as referring back to the offender (v. 6–9) or forward to the victim (v. 15–35). Both those who abuse power and those who are marginalized by the abuse of power can be the "lost" ones in our church communities. In either case we are to seek out and restore to community the excluded or the alienated. Jesus' parable of the lost sheep suggests an alternative view of how power is distributed in the community. The health and the wholeness of the community are not determined by the influential few or even by the majority, but by the welfare of the weakest members.

Exhortation and Consequences to Potential Victims (v. 15–22)

Process of Confrontation, Accountability and Restoration (v. 15–17)

In verses 15–17, Jesus describes a demanding process for bringing offenders back into community. The moral authority, and thus the initiative, resides with the violated party. There is first an attempt to help the offender save face through a private approach by the victim (v. 15). But it is the victim who determines whether she or he has been heard and whether justice has been done. If the victim does not feel heard by the offender, the victim invites the support of one or two "witnesses," as was

common rabbinic practice. “Every word” of both victim and offender’s testimony is confirmed. The supporters may also help determine consequence and impact.

If this process does not lead to healing and justice, the next step is to consult the broader community. It is significant that there is no mention of an intermediary institution such as a prosecutor, judge or jury. The church community seeks to be an advocate for both offender and victim in its demand for accountability, repentance, justice and forgiveness. If the offender continues to refuse to cooperate, the church treats the offender as an outsider—that is, someone who needs to hear the good news and be redeemed (v. 17)! This is not a strategy of punishment but rather a change in the community’s approach to the offender.

Community Conferencing and Unlimited Forgiveness (v. 18–22)

Verses 18–20 seem to indicate that the church community, inclusive of the victim and offender, represent an alternative to the adjudication of justice by civil authority. This is akin to the process of Community Justice Conferencing where restitution and reconciliation are agreed upon consensually. Matthean scholar J. Andrew Overman (1990) writes, “Binding and loosing refer to the political and juridical power to punish or excuse, to imprison or set free. . . . They constitute both a challenge and a substitute for those processes already established in the civil realm outside of the community” (p. 160). If the church can facilitate the victim, offender and supportive others arriving together at a decision that is reasonable and restorative, then the church is cooperating with the grace of God (2 Cor. 5:18–6:1). Whenever the church takes this community process of transforming conflict seriously, Jesus is profoundly present (v. 20).

But all of us have deep preconceptions about the ultimately retributive nature of “justice.” This is reflected in the disciples’ question about limits to forgiveness (v. 21–22). We understand that we need to forgive sometimes, but surely there are some things that cannot be forgiven! Jesus’ answer that we must forgive “70 x 7” seeks to reverse Lamech’s curse in Gen 4:24. Christians must no longer cooperate with the spiral of violence and retribution begun by Cain’s fratricide and intensified by Lamech. If we refuse to forgive and thus “bind” God’s grace, we are consigning ourselves to the logic of the retributive system. The cruelty of this system is described in the closing parable in verses 23–35.

Consequences of Limited Forgiveness: Retribution and Hierarchy Prevail (v. 23–35)

The story compares forgiveness with the releasing of people from economic debt. As William Herzog (1994) has shown, this parable describes the dysfunctional system of patron-client relationships that characterized the ancient royal court. A high-ranking servant owes his king the exorbitant sum of ten thousand talents (one talent was worth more than 15 years wages, v. 24). The king orders the slave and his family to be sold (v. 25). When the servant begs him, the king grants him amnesty thus making an exception to his own rules (v. 26–27). But the servant turns around and exacts payment from his underling (v. 28). Because everyone is socialized into the system of indebtedness, one gesture of grace alone is not enough to transform the system. Thus the king violently reasserts the rule of retribution (v. 34).

This disturbing tale serves as a warning to us about the consequences of giving in to the logic of retribution. Only by experimenting with the truth of God’s unlimited grace in concrete circumstances of conflict can the church offer an alternative to the world’s spiral of violence.

Matthew 18 provides important theological grounding for contemporary church involvement in conflict transformation and restorative justice. The church needs to practice this in its own life and then be a model for the wider society.

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Note

1. See for example Marlin Jeshke. 1988. *Discipling in the Church: Recovering a Ministry of the Gospel*. Scottsdale, PA: Herald Press.

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Selected Conflict-Related Themes in the Bible

compiled by Carolyn Schrock-Shenk
with thanks to many friends of MCS

The Bible is full of diversity, conflict, directives for attitudes, actions and processes in conflict; stories about positively transformed conflict and stories of conflict that are full of violence. Following are several conflict-related themes found in the Bible, many of which are foundational for those of us doing conflict transformation work.

It is important to note that this list is simply a starting point and not comprehensive in any way. These are themes that have been compelling to various members of the MCS network, including myself. It is also important to note that the very process of selecting themes reflects a particular cultural orientation. If the list were to be compiled by someone in another context or from another cultural group, it would undoubtedly look different.

Conflict is an inevitable part of life for all people, in and out of the church.

Genesis 1–3—God created very diverse humans who have the freedom of choice and the power to be co-creators, all of which produce conflict.

Acts 6 & 15, I Corinthians 1, Galatians 2, Philippians 3—Conflicts in the early church.

Romans 14:1–7—Differences around food and holy days.

The Bible provides guidance for both attitude and process in conflict.

Genesis 33:1–11—Be prepared to both ask for forgiveness and grant forgiveness.

Genesis 31:54—Symbols, such as sharing a meal, can be powerful reconciliation tools.

Proverbs 18:13, John 7:51, James 1:19—Listen first to the concerns of the other. See the other's point of view.

Matthew 7:1–5, Romans 14—Be nonjudgmental. Take responsibility for your part of the conflict or sin.

Matthew 18:15–20—Deal with the situation directly. Use others to help. Use the church. Continue to seek reconciliation in spite of the distancing. God is present with us.

Acts 6 & 15—Come together as people of God. Recognize the conflict. Develop a process to deal with it. Hear each other. Problem-solve. Work for consensus. Implement the decision.

Romans 14:17, Ephesians 4:1–6—Remember our common bonds, what and who ties us together.

I Corinthians 13:4–7—Love is fundamental. Be constructive in conflict. We have only part of the truth.

Galatians 6:1–5, I Peter 3:8, 16—Be humble, gentle, respectful.

Ephesians 4:15, 25–32—Speak the truth. Be constructive in attitude and action. Be kind. Forgive.

Conflict can be an arena for God's revelation. It can be a venue for learning, growth and change.

Acts 6:1–7—A conflict that resulted in the appointment of deacons.

Acts 15:1–12—A serious conflict through which fundamental truth emerged about inclusivity in the kingdom.

Acts 15:36–41—A conflict ending with a division but God's work continues.

Conflict becomes sinful when our responses to it are destructive, hurtful or violent.

Genesis 4:3–7, 37:5, 18–28—Anger turns to hate and murderous acts.

I Corinthians 6:1–8—The folly of taking another to court.

Ephesians 4:25–27, 29—Don't let anger result in sin. Don't use destructive language.

Reconciliation is central to Christ's mission on earth. It is both our mission and our distinguishing characteristic as followers of Christ.

II Corinthians 5:17–20—Our call to be reconcilers with Christ.

Ephesians 2:13–17—Christ breaks down the wall of hostility between us.

Colossians 1:19–22—Our reconciliation to God through Christ.

Colossians 3:10–11—Our “new nature” removes divisions.

Forgiveness is key in the restoration of right relationships.

Gen 33:1–11, 45:4–6, 10–15—Forgiveness between brothers.

Matthew 6:14–15, 18:21–22, Ephesians 4:32, Colossians 3:12–15—Forgive and you will be forgiven . . . seventy times seven . . . as the Lord has forgiven you.

Luke 15:11–32—Prodigal son/forgiving father.

We are commanded to love our enemies.

Matthew 5:38–48, Luke 6:27–36—Love those who do not love you.

Luke 22:47–51—Jesus models love for enemies.

Romans 12:14–21—Bless your persecutors; feed and clothe your enemies.

We seek the presence of shalom, a peace based on justice.

Isaiah 58—Justice is rewarded by God.

Amos 5:21–24—Nothing matters if justice and righteousness are not present.

Micah 6:6–8—Not sacrifice but justice, kindness and a humble walk with God.

Matthew 23:23–24—Justice, mercy and faith are the weightiest laws.

Luke 4:18–19—Jesus' mission of good news, liberty and justice.

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Agreeing and Disagreeing in Love

Mennonite Church and General Conference Mennonite Church
(now known as Mennonite Church USA and Mennonite Church Canada)

“Making every effort to maintain the unity of the Spirit in the bond of peace,” (Eph. 4:3) as both individual members and the body of Christ, we pledge that we shall:

IN THOUGHT

- Accept conflict** 1. Acknowledge together that conflict is a normal part of our life in the church. (Rom. 14:1–8, 10–12, 17–19, 15:1–7)
- Affirm hope** 2. Affirm that as God walks with us in conflict we can work through to growth. (Eph. 4:15–16)
- Commit to prayer** 3. Admit our needs and commit ourselves to pray for a mutually satisfactory solution (no prayers for my success or for the other to change but to find a joint way). (James 5:16)

IN ACTION

- Go to the other. . .** 4. Go directly to those with whom we disagree; avoid behind-the-back criticism. (Matt. 5:23–24, 18:15–20) (Go directly if you are European-North American; in other cultures disagreements are often addressed through a trusted go-between.)
- . . . In the spirit of humility** 5. Go in gentleness, patience and humility. Place the problem between us at neither doorstep and own our part in the conflict instead of pointing out the others’. (Gal. 6:1–5)
- Be quick to listen** 6. Listen carefully, summarize and check out what is heard before responding. Seek as much to understand as to be understood. (James 1:19; Prov. 18:13)
- Be slow to judge** 7. Suspend judgements, avoid labeling, end name calling, discard threats, and act in a nondefensive, nonreactive way. (Rom. 2:1–4; Gal. 5:22–26)
- Be willing to negotiate** 8. Work through the disagreements constructively. (Acts 15; Phil. 2:1–11)
- Identify issues, interests, and needs of both (rather than take positions).
 - Generate a variety of options for meeting both parties’ needs (rather than defending one’s own way).
 - Evaluate options by how they meet the needs and satisfy the interests of all sides (not one side’s values).
 - Collaborate in working out a joint solution (so both sides gain, both grow and win).
 - Cooperate with the emerging agreement (accept the possible, not demand your ideal).
 - Reward each other for each step forward, toward agreement (celebrate mutuality).
9. Be firm in our commitment to seek a mutual solution; be stubborn in holding to our common foundation in Christ; be steadfast in love. (Col. 3:12–15)
10. Be open to accept skilled help. If we cannot reach agreement among ourselves, we will use those with gifts and training in mediation in the larger church. (Phil. 4:1–3)
11. We will trust the community and if we cannot reach agreement or experience reconciliation, we will turn the decision over to others in the congregation or from the broader church. (Acts 15)
- In one-to-one or small group disputes, this may mean allowing others to arbitrate.
 - In congregational, conference, district or denominational disputes, this may mean allowing others to arbitrate or implementing constitutional decision-making processes, insuring that they are done in the spirit of these guidelines, and abiding by whatever decision is made.
12. Believe in and rely on the solidarity of the Body of Christ and its commitment to peace and justice, rather than resort to the courts of law. (1 Cor. 6:1–6)

IN LIFE

Be steadfast in love

Be open to mediation

Trust the community

Be the Body of Christ

Peacemaking and Spirituality

Regina Shands Stoltzfus

Our stories and traditions tell of the deeply intertwined roots of peacemaking and spirituality. Listen . . .

The book of Genesis tells the narrative of the beginning—the beginning of created order, the beginning of humanity’s existence, and the beginning of our relationship with God. Out of vast nothingness, God created the world and all that is within it. The vision of shalom—peace, health, justice, wholeness—is part of God’s creation plan. One symbol of that covenant, the narrative tells us, is the rainbow. “This is the sign of the covenant I am making between me and you and every living creature with you, a covenant for all generations to come: I have set my rainbow in the clouds, and it will be the sign of my covenant between me and you and all living creatures of every kind” (Gen 9:12–13).

Bishop Desmond Tutu of South Africa would often remind the faithful of this symbol as he ministered in his apartheid-riven country—the symbol of the covenant with God and of the unity of creation. As a pastor, a priest and an activist, he understood well the connections between faith in God and the gritty work of non-violent peacemaking. Tutu consciously held together the need to bring dignity and a sense of hope to his parishioners, and to speak hard truths to those in power.

His understanding, of course, was that race-based segregation and the oppression of a people had no place in God’s created order. Tutu always made it clear that his opposition to apartheid was derived solely from the Bible. The image that he used over and over again, whether speaking to supporters or detractors, was that of the rainbow:

At home in South Africa I have sometimes said in big meetings where you have black and white together: “Raise your hands!” Then I’ve said, “Move your hands—different colors representing different people. You are the rainbow people of God.” And you remember the rainbow in the Bible is the sign of peace. The rainbow is the sign of prosperity. We want peace, prosperity and justice and we can have it when all the people of God, the rainbow people of God work together (Apel 2000:47).

For Tutu and many others, the rainbow symbol is important in many ways. First, it is the biblical sign of God’s covenant between God and all the living crea-

tures of the earth. But it is also a symbol that appears after a time of storm. In the biblical account, the first rainbow appears after the most devastating thing that has ever happened on earth occurs. The people of South Africa—black, white, Indian and mixed race—endured and continue to endure trials, disappointments and setbacks. But their story—the end of apartheid—is a rainbow story of hope for the nations.

Nekeisha Alexis-Baker is not as well known as Desmond Tutu, but she carries the same heart of a peacemaker. Originally from Trinidad, she has lived most of her life in New York City and has been involved in peacemaking work with her congregation. A few years ago, while participating in an action against a corporation that was profiting from the war in Iraq, Alexis-Baker was arrested. She had thought carefully about her participation in the action, which involved pasting posters bearing the photos of innocent Iraqi victims of the war on the outside of the building. Bearing witness to the loss of so many lives seemed an appropriate reflection of her faith commitment as a peacemaker. Being arrested, however, introduced her to another level of this commitment.

Along with others who were arrested, Alexis-Baker experienced briefly what it was like to be a detainee without any rights. No one in her family knew where she was, and she was not able to contact them. Her handcuffs were too tight, and requests to have them loosened were ignored, as were requests from others. As she worried about what was going to happen, the group was placed in a police van and the mood among those arrested spiraled into anger. In her fear, Alexis-Baker began to cry. She explained once more to an officer that her handcuffs were too tight, and that she was losing feeling in her hands and arms—could they please be loosened? The officer complied, taking off the tight cuffs and before they could be replaced, Alexis-Baker hugged him. The impulse to do this, she says, came from asking herself the question, “In this situation, how do I love my enemy?” The directive of Jesus became her guide.

Later, in a holding cell, she was able to read her Bible, and kept thinking of the apostle Paul, who described himself as “an ambassador in chains.” How could she be such an ambassador, showing God’s love

while maintaining her passion for peace and justice? She made a decision to be cheerful in the midst of a frightening situation. At one point the protesters began singing songs—protest songs—some mean and mocking. Alexis-Baker interjected, beginning a chorus of “This Little Light of Mine,” and everyone joined in. It was, she reports, a profound moment.

There is tremendous power in our stories to sustain us for the long haul in the desire to create a peaceful and just world. Our stories—the biblical narratives as well as the stories we bring from our own lives—help

us remember who we are and call us back again and again to God’s vision of shalom. Our storytelling can be as much a part of our spiritual disciplines as our times of prayer and worship. Our stories have power. May that power bear fruit in our lives.

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Truth and Mercy, Justice and Peace

John Paul Lederach

For a number of years in the 1980s I worked under the auspices of Mennonite Central Committee throughout Central America as a resource person conducting workshops on conflict resolution and mediation. As an outgrowth of those efforts, I had the opportunity to serve as an adviser to a religiously-based conciliation team that mediated negotiations between the Sandinista government and the indigenous movement of the Nicaraguan East Coast, known as Yatama.

As part of its overall role, the conciliation team accompanied returning exiled Yatama leaders back to their home area and villages to explain the agreement that had been reached with the Sandinistas. Given the context of war and the deep-rooted animosities that persisted, these were intense meetings. At the opening of each village meeting, the Nicaraguan conciliators would read Psalm 85, in which the Psalmist refers to the return of people to their land and the opportunity for peace. In two short lines at the heart of the text (85:10), the Spanish version reads (in translation), “Truth and mercy have met together; peace and justice have kissed.”

Hearing these powerful images representing two paradoxes time and again across the East Coast, in the context of a deeply divided society, I became curious as to how the conciliators understood the text and the concepts. At a training workshop with local and regional peace commissions some time later, I had the opportunity to explore this in more detail. We first identified the four major concepts in the phrase: truth, mercy, justice and peace. I then asked the participants to discuss each concept as if it were a person, describing the images it brought to mind and what each would have to say about conflict.

When discussing the images of truth, they suggested honesty, revelation, clarity, open accountability and vulnerability. “We see each other as we are,” one participant commented. “Without the person of Truth, conflict will never be resolved. Yet truth alone leaves us naked, vulnerable, and unworthy.”

On mercy, images emerged of compassion, forgiveness, acceptance, and a new start. This is the idea of grace. Without the person of Mercy, healthy relationships would not be possible. Without compassion and forgiveness, healing and restoration would be out of the

question. Yet, mercy alone is superficial. It covers up. It moves on too quickly.

Justice raised powerful images of making things right, creating equal opportunity, rectifying the wrong, and restitution. “Without justice,” one person commented, “the brokenness continues and festers.”

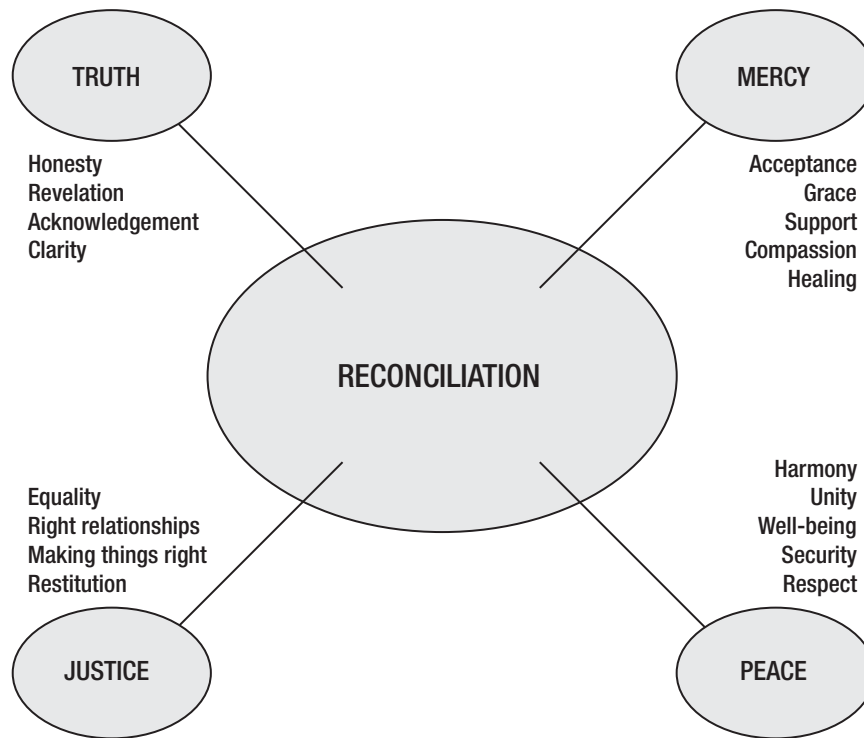
With peace came images of harmony, unity, well-being. It is the feeling and prevalence of respect and security. But, it was mentioned, peace is not just for a few, and if it is preserved for the benefit of some and not others, it represents a farce.

As a conclusion we put the four concepts on paper on the wall, as depicted in the diagram. When I asked the participants what we should call the place where truth and mercy, justice and peace meet, one of them immediately said, “That place is reconciliation.”

What was so striking about this conceptualization of reconciliation was the idea that it represents a *social space*. Reconciliation is a locus, a place where people and things come together.

Let’s think for a moment of how the core concepts in the Psalmist’s paradoxes might be formulated in terms of contemporary conflict. *Truth* is the longing for acknowledgment of wrong and the validation of painful loss and experiences, but it is coupled with *mercy*, which articulates the need for acceptance, letting go, and a new beginning. *Justice* represents the search for individual and group rights, for social restructuring, and restitution, but it is linked with *peace* that underscores the need for interdependence, well-being and security. Curiously, these concepts are played out in the political arena.

These elements lie at the heart of the challenge facing us in contemporary conflict. While enormous pain and deep-rooted animosity accompany any war, we have suggested that the nature of contemporary settings of armed conflict, where neighbor fears neighbor—and sometimes family member fears family member—and blood is shed by each; the emotive, perceptual, social-psychological, and spiritual dimensions are core not peripheral concerns. The immediacy of hatred and prejudice, of racism and xenophobia, as primary factors and motivators of the conflict require approaches to its transformation rooted in social-psychological and spiritual dimensions that traditionally



have been seen as either irrelevant or outside the competency of international diplomacy. Reconciliation, seen as a process of encounter and as a social space, points us in that direction.

Reconciliation can be thus understood as both a *focus* and a *locus*. As a perspective it is built on and oriented toward the relational aspects of a conflict. As a social phenomenon, reconciliation represents a space—a place or location of encounter—where parties to a conflict meet. Reconciliation must be proactive in seeking to create an encounter where people can focus on their relationship and share their perceptions, feelings, and experiences with one another, with the goal of creating new perceptions and a new shared experience.

In more specific terms, we could suggest that reconciliation deals with three specific paradoxes. First, in an overall sense, reconciliation promotes an encounter between the open expression of the painful past *and* the

search for the articulation of a long-term, interdependent future. Second, reconciliation provides a place for truth and mercy to meet, where concern for exposing what has happened *and* letting go in favor of renewed relationship are validated and embraced. Third, it further recognizes the need to give time and place to both justice and peace, where redressing the wrong is held together with the envisioning of a common, connected future. The basic paradigm of reconciliation, therefore, is one that embraces paradox. It suggests, for example, that a focus on relationship will provide new ways to address the impasse on issues; or that providing space for grieving the past permits a reorientation toward the future, and, inversely, that envisioning a common future creates new lenses for dealing with the past.

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The Gospel of Reconciliation

Leo Hartshorn

Reconciliation is at the heart of the good news of God's redemptive activity. It is a key metaphor, among others, that speaks of God's saving work in the world. Reconciliation is about God "making peace" with and between human beings (Romans 5:1–12; Colossians 1:18–23). Reconciliation is a work of God's grace whereby estranged relationships are mended. This healing act has two interconnected dimensions—divine and human. Reconciliation is a sacred work that restores broken relations between God and humans, and between humans. These two dimensions are inextricably intertwined, just as loving God and loving our neighbor are interconnected (Matthew 22:34–40; 1 John 4:19–21). Worship of God and human reconciliation should never be separated (Matthew 5:23–24). The prophet Amos decried the separation of liturgy and liberation, the worship of God and the doing of justice (Amos 5:21–24). The reconciling church must hold together praise and peace, good news and justice, evangelism and economy, conversion and conciliation.

According to 2 Corinthians 5:7–18, every Christian shares in the ministry of reconciliation. Christ has inaugurated a new creation. Being "in Christ" means we have become citizens of this new realm, which opens up new modes of living and relating within the present world. Reconciled to God through Christ, Christians have been entrusted with the message of reconciliation. God appeals to a broken and divided world through us. Although God is the initiator of reconciliation, God's work is not without human cooperation. Humans are bearers of the message of reconciliation with God and co-laborers with God in reconciling humans to one another. The gospel of reconciliation is the heart of the church's mission to the world.

Within the human-to-human dimension of reconciliation are the works of peacemaking, social justice, mediation and conciliation. This dimension is not void of God's presence or power, as the focus is upon working with God in mending human relationships. This form of reconciliation is both a calling for all Christians and a specialized work within Christ's church. Every Christian has a divine mandate to be a minister of reconciliation, a mediator, a peacemaker, and a justice seeker in his or her everyday life. Some are called to

specialized ministries of reconciliation such as restorative justice, mediation and conciliation services, peace education and advocacy, and antiracism training—just to name a few. These ministries require development of specialized knowledge and skills in the effort to spread the message and practice of reconciliation, such as can be found in this manual. This essay is an attempt to provide a biblical/theological foundation for these types of ministries of reconciliation.

The Church and Practices of Reconciliation

As Christ's reconciled and reconciling community, the church proclaims and embodies the ongoing story of God's reign revealed in Jesus. The church is a signpost of God's kin-dom, a harbinger of the age to come. The church is a counter culture, an alternative society and a distinctive polis (1 Peter 2:9). As a Jesus-shaped community, the church is a people in solidarity with the poor, oppressed and marginalized; a community of resistance against the world's domination systems.

If Christians are to be "ambassadors of reconciliation," then the church is ever to be on both an inward and an outward journey of collective transformation. As an agent of reconciliation, the church should seek conversion toward symmetries of power, racial equity, gender egalitarianism and just peacemaking. Only with an openness to its own continuing conversion can the church model a culture incarnating the reign of God.

The liturgical practices of worship and preaching have powerful roles to play in constituting the church as a peacemaking community. Although the primary direction of worship is Godward, worship is ethically formative. Communal and interactive modes of preaching model nonhierarchical mutuality, collective cooperation and creative contextualization. Peacemaking as a way of life is possible to sustain only through communities with practices of nonviolence. Breaking bread is a ritual interconnected with reconciliation within the Anabaptist tradition when it has been preceded by a process of self-examination and interpersonal forgiveness. An open process that encourages reconciliation before communion is more healing than strict, rule-oriented, exclusionary practices at the table. Baptism is a ritual of initiation whose practice reminds the commu-

nity that differences of gender, race, ethnicity, social and economic class have been dismantled within the one body of Christ. The practice of open hospitality forms the church into a community ready to welcome the stranger, the marginalized and the outsider. Healing as a church practice includes the healing of broken relationships as well as broken bodies and emotions. The practice of prayer connects the worshipping community with the Spirit's empowerment for sustained engagement in the hard work of forgiveness, conciliation, peacemaking and social justice. Common church practices re-form the church with a body politic of reconciliation.

Reconciliation and the New Creation

When reconciliation is set within the context of God's reign it becomes more than an issue of personal piety and individual conversion: It becomes the hope for a new cosmic and social reality; a transformed creation (2 Corinthians 5:17–18). The Christian vision of a new creation presupposes: 1) an originating creation rooted in equity, peace, just relations and cooperation with God; 2) a fractured creation disrupted by violence, enmity, division, inequity and disharmony with God; and 3) the reconciling work of God in Christ inaugurating a new age of shalom, justice and cosmic redemption (Romans 8:18–24).

God's reconciling work in Christ goes far beyond our personal stories of redemption. Through Christ, God performed an act of cosmic reconciliation and peacemaking (Colossians 1:18–19). All things are reconciled to God through Christ creating peace. The originating goodness and wholeness of creation are restored through God's grace revealed in the life, death and resurrection of Jesus Christ. Jesus was a living

parable of God's reign, an embodiment of a redeemed and reconciled creation. Within the framework of biblical eschatology, Christ inaugurated the age to come, the time of the reconciliation and restoration of the cosmos, the reign of God, which is and is to come.

The prophetic vision of the coming reign of God points forward toward the kairos time of ultimate justice, peace and reconciliation of the cosmos as it was in the beginning. End Time reflects Primal Time. Revelation mirrors Genesis. *Urzeit und Endzeit*. Genesis—creation of heaven and earth: Revelation—a new heaven and a new earth. Prophets and visionaries look to a new world where the enmity of creation is healed and peace prevails; when the wolf lies with the lamb and swords are beaten into plowshares (Isaiah 2:1–4; 11:1–9; Hosea 2:18–20). These visions are not simply stories of pie-in-the-sky-by-and-by; they are subversive rhetorical constructs that function to form an alternative vision of reality within which God's community lives and acts in the present. God's people are to live in this world in the light of the world to come.

Conclusion

Christian ministries of mediation and restorative justice find their roots in sacred Scripture and a theo-politics of reconciliation. Reconciliation is at the heart of God's mission to the world, Christ's embodiment of God's reign, and the Spirit's ongoing presence and activity within the church and world. The work of mediation and restorative justice should be viewed within this broader theo-political context. Within this context, their interrelationships with other peacemaking ministries and their limitations within the complex matrix of a theo-politics of reconciliation can be grounded, comprehended and practiced.

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Resources for Further Study on Peacework and Faith

compiled by Kristin Reimer

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Documents the shift among Mennonites from passive nonresistance to active participation in the political order and examines the ties between Mennonite peacemaking attitudes and social and theological forces.

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Helpful reflections on how to enter into the conversation, as well as several case studies.

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Help for conflicted families, communities and nations to encounter themselves, each other and God.

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Biblical and theological study of reconciliation in settings of structural conflict. Proposes that reconciliation begins with victims and their restoration. Deeply informed by narrative theory; attentive to symbol and ritual.

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Articulates in very practical terms a biblical approach to interpersonal and group relations, facilitation and problem-solving.

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Scripturally-based analysis of how nations/cultures/societies organize themselves around domination systems and exploration of the myth of redemptive violence.

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CHAPTER 2

Conflict Transformation



Thinking about Power

Beth Roy

When Juliana Birkhoff (2000) explored the ways mediators think about power in her pioneering doctoral research, she found two prevailing concepts: power as a “thing” or something people “have”; and power as a negotiating position, deriving primarily from “batna” or “best alternative to a negotiated agreement.”

In contrast, I think of power as something we *do*. It is the means by which we accomplish, or are denied well-being. Power is a process going on between and among people, a multilayered and ever-shifting set of relationships. *Shaped* profoundly by the social structures within which we live, power is *internalized*, manifesting as feelings of entitlement and insecurity. It is *enacted* in transactions between and among people, *embodied* in cultural practices and *performed* in organizational roles.

Why Power Matters in Conflict Intervention

Common conflict resolution theory addresses power by acknowledging problems when participants are unequal in some identifiable respect. Mediators are cautioned to intervene in a way that “balances the table.” An underlying assumption is that many inequities can be left at the door and a conversation constructed that establishes equality in the room. Developing a holistic understanding of power dynamics allows mediators to understand ways in which imbalances remain inherent in any process, however carefully arranged. Mediators are thus better able to determine whether mediation is a possible and advisable course and, if deciding to mediate, to confront inequities directly and effectively.

Power operates at the mediation table in a second important way: the mediator’s power. It, too, is a fluid and complex process. Who the mediator is, of what cultural heritage, matters of gender and race and age, language spoken, transparency, and so much more, all affect the flow of power in the course of the work. The mediation table is itself a social structure and as such can reinforce or encourage re-negotiation of power and well-being.

Power in and of itself is not an evil. Indeed, people come to mediation because they hope and believe the

mediator has some power to help them. There is a big difference between power abuse and the negotiated use of constructive power. The latter becomes possible when power is understood complexly and negotiated openly.

Domains of Power

When I analyze power as I practice conflict resolution, I think of it as operating dynamically in five domains.

- *Internal*: One’s sense of confidence, ability to articulate thoughts, and skills for recognizing and managing emotion all become factors in how powerfully one operates in transactions with others.
- *Transactional*: Everyday behaviors that occur between and among us—choice of words, body posture, eye contact—communicate and negotiate power.
- *Organizational*: Sets of agreements, tacit or explicit, create environments in which power is distributed in particular ways. Roles in families, organizations, communities, etc., may be assigned by agreement or assumed de facto, and power accrues to them.
- *Cultural*: Particular histories and identities influence individuals to behave in particular ways, and also influence the meanings attributed to behaviors by others. Ethnic origins, religious communities, racial identities, gender and physical abilities all have sets of cultural habits and assumptions associated with them that are brought to bear on power dynamics.
- *Structural*: Both face-to-face transactions and group situations exist in the context of greater social structures that define an underlying set of power relations. These relations attach to cultural identities and attributes, as well as become internalized in a sense of self.

Like all theoretical constructs, this one is less than exhaustive. In each of these arenas, power is exercised differently, with particular consequences for collaborative work and particular challenges to the practitioner. None of the domains I’ve described is independent of the others; all intertwine in mutually-generating dynamics.

Power Dynamics Exemplified

In 1996, I interviewed Eleanor Smith of Atlanta about her work with Concrete Change, a group she founded with the goal of improving accessibility of new houses for people with disabilities. Eleanor Smith is herself a wheel-chair user and she began our conversation by setting the context for the particular conflict she was about to describe:

I don't think it's obvious to everyone that the way homes are built severely excludes a pretty big portion of people. [Take] one little architectural feature, the bathroom door. Typically a new home will have a narrow bathroom door that the wheelchair won't go through. The fallout on people's lives is tremendous, just from that one detail. People stop and think, "If I knew I couldn't go to the bathroom if I went to dinner, would I go?" And then if we do go, we really take a very major risk. We learn to really be ashamed of what we need. It's very shame-inducing, it's very health-threatening to try to develop a bladder that will hold it that long. Those few inches really are humongously important in terms of being able to be at anyone's house, including your own.

Eleanor went on to tell me about her group's negotiations with Habitat for Humanity, an organization popularized by Jimmy Carter that, among other projects, builds affordable homes for poor people. When Habitat began plans for a new housing development in the Atlanta area, Concrete Change approached them with the proposal that they demonstrate how easy and economical it would be to build accessible homes:

We went to the chairman of the board. He came over to the house here, and there were eight of us talking with him. He leaned back, his arms folded over his chest, taking a very rational, seemingly pseudo-rational approach: "Who else is doing this in the country?" "Well, nobody we know of right now." "Well, we don't want to slow down the learning curve."

Internal and Transactional Power Dynamics

The body posture and style of speaking of the chairman conveyed an exercise of power. His gestures—leaning back, crossing his arms—expressed confidence in his position, a certain unwillingness to budge, a sense of command over the situation in which he found himself. His mode of speaking—asking in a reasonable tone of voice for a precedent, speaking in terms of learning curves—communicated a disinclination to solve the problem at hand.

Who speaks first, how long a person speaks, tone and volume of voice, vocabulary, command of language, style of reasoning—these are only a few of the many ways we exercise power. Becoming attuned to transactional power reveals these and many more forms in which it operates.

Eleanor went on to describe how gendered dynamics induced the Concrete Change members to internalize and accept their inferiority:

He meant they didn't want to even think about doing one thing different because then they couldn't build houses quite as fast. As women, we really felt disempowered, too, I might say. He was one man and we were eight women, talking about house construction.

The chairman's invocation of technical expertise suggested that he, a man, would of course know more about such matters. The women, themselves schooled in a social world of gender inequality, quietly succumbed to a sense of inferiority—although only temporarily.

Organizational and Cultural Power Dynamics

The chairman took charge of the shape of the dialogue, and the committee members tacitly consented. Eleanor's group played by mutual consent the role of supplicants; the chairman the role of decision maker.

Tacit agreements like this one take the form of unchallenged assumptions. The chairman assumed that his highest value—to build houses quickly—was universally accepted, that it was technically inevitable that building accessible houses would slow that process down and that his goal and Eleanor's committee's were therefore fundamentally in conflict. The women were presented with the task of articulating and countering his assumptions.

Value assumptions often arise from the cultures in which we are raised and currently operate. Perhaps the chairman was influenced by the national stature of his organization. His attitude suggested a conviction that his organization would suffer no loss of renown and approval if he declined the women's request. The disability activists, on the other hand, came to age contending with a profound minority status. They anticipated that their needs and experiences would have low visibility in the majority's consciousness and little active support. How each of them therefore pursued her or his agenda was very different.

Add to the dynamics I've described the view of gender and occupation as formative of cultures, and the

role of culture in shaping power, especially in moments of conflict, becomes more profound.

Structural Power Dynamics

Both face-to-face transactions and group situations exist in the context of greater social structures that define an underlying set of power relations. These are played out through cultures, internalized as feelings of self and transacted by word and gesture. This level of the process was exemplified when Eleanor talked about the aftermath of the meeting with the chairman:

Then one very stubborn woman in our group wrote to every board member, and somehow that changed it. There were some board members that wanted to try it. So then Habitat began doing it, finding out that it hadn't been that hard.

We wanted to then parlay that into state legislation. Four years ago we started trying to get a state law through that every new house would have basic access. The Home Builders' Association, which is one of the strongest national lobbies, has so much clout that they have full-time lobbyists in every state. They were putting out outlandish cost figures of what it would cost to have a wider bathroom door in new construction. They could afford to fax everywhere in the state, and they could afford to pay their full-time lobbyist. And they are one of the biggest donors, even on a state level, to legislative campaigns.

The construction industry is better funded than are disability-issues activists. That is a structural fact of life in modern-day America which is the context for any dialogue or negotiation between the two groups. Matters of money, political access, educational and technological resources, group status based on culture, age, gender, physical ability, ethnicity, and so on, influence every interpersonal transaction, more or less decisively depending on its content and context and on the degree of inequality of the participants. Very often, structural components of power dynamics seem indirect and are therefore not visible to those living them.

How do these five domains in which power operates shade into and help to form each other? Cultures of gender deeply inform Eleanor Smith's experience of intimidation on a transactional level, as she experienced the chairman from Habitat leaning back in her living room and crossing his arms over his chest. Gender is a construct that is negotiated through ongoing interpersonal transactions (in personal relationships between men and women) and imbued with power because of characteristics of social structure: The greater earning power of men, for instance, which in turn derives from the higher value placed on traditionally male occupations. The tacit agreements that allowed the chairman to define the question—as a technical matter of what would be needed to make the changes the activists sought and how that would affect the “learning curve”—were credible because he held structural power as the representative of an organization with enough resources to build houses. The power accruing to the manner in which he considered that question—rational, weighing one set of possibilities against another—grew from a deeply imbedded set of structural characteristics of the gendered economic and social system in America.

Dynamics like these are intricately woven into every conflict. When conflict resolvers intervene, we too enact power in ways subtle and blatant. How the power we bring to the table works and why it matters are questions often obscured by our false belief that we are neutral third parties. If we mean to help and to do no harm, we must be attuned to the transaction processes of our own power and that of the people whose conflicts we seek to resolve.

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Conflict Transformation: A Working Definition

John Paul Lederach

At essence, transformation refers to change. Transformation as change can be understood in two fundamental ways. **Descriptively**, transformation refers to the empirical impact of conflict, the *effects* that social conflict produces; it describes the general changes social conflict creates and the patterns it typically follows. **Prescriptively**, transformation implies deliberate intervention to effect change; it refers to the *goals* we have as intervenors as we work with conflict. At both levels, transformation is operative in four interdependent dimensions.

Perspective		
Dimension	Descriptive	Prescriptive
PERSONAL	The changes effected in and desired for the individual. This involves emotional, perceptual and spiritual aspects of conflict.	Suggests that individuals are affected by conflict, in both negative and positive ways, for example, in terms of physical well-being, self-esteem, emotional stability, capacity to perceive accurately and spiritual integrity.
RELATIONAL	Represents deliberate intervention to <i>minimize</i> the destructive effects of social conflict and <i>maximize</i> its potentialities for growth in the person as an individual human being, at physical, emotional and spiritual levels.	Depicts the changes effected in, and desired for the relationship. Here we take into consideration the areas of relational affectivity and interdependence, and the expressive, communicative and interactive aspects of conflict.
STRUCTURAL	Refers to how the relational patterns of communication and interaction are affected by conflict. It looks beyond the tension around visible issues to the underlying changes produced by conflict in the patterns of how people perceive, and what they desire and pursue in their relationship: how close or distant, or how interdependent they wish to be, what they perceive the other wants, how reactive or proactive they become in the relationship, etc.	Represents intentional intervention that minimizes poorly functioning communication and maximizes mutual understanding, and that surfaces in an explicit manner the relational fears, hopes and goals of the people involved in terms of affectivity and interdependence.
CULTURAL	Highlights underlying causes of conflict and the patterns and changes it brings about in the social structures. At times understood as the “content” or “substance,” structural dimensions focus attention on the areas related to basic needs, access to resources, and institutional decision-making patterns.	Refers to the analysis of social conditions that give rise to conflict and the way that conflict affects change in existing structures and patterns of making decisions.
CULTURAL	Refers to the changes produced by conflict in the cultural patterns of a group, and the ways culture affects the development and handling of conflict.	Interested in how conflict affects and changes cultural patterns of a group, and how those accumulated and shared patterns affect the way people in that setting understand and respond to conflict.
		Represents the intervention to provide insight into underlying causes and social conditions that create and foster violent expressions of conflict, and openly promotes nonviolent mechanisms that reduce adversarial confrontation, minimize and ultimately eliminate violence, and foster structures that meet basic human needs (substantive justice) and maximize participation of people in decisions that affect them (procedural justice).
		Seeks to understand explicitly the cultural patterns that contribute to the rise of violent expressions of conflict, and to identify, promote, and build on the resources and mechanisms within a cultural setting for constructively responding to and handling conflict.

In summary, conflict transformation represents a comprehensive set of lenses for describing the way conflict emerges from, evolves in, and brings about changes in the personal, relational, structural and cultural dimensions, and for intervening to promote peaceful change at those levels through nonviolent mechanisms.

CHAPTER 2 • SECTION 1



The Personal Dimension

Principled Conflict

Kristin Reimer

I think most of us have come to terms with the fact that we will, as we go about our daily lives, encounter conflict. The more difficult concept to get our minds around is that this conflict may not only be inevitable, but also holy.

As MCS has sought to walk with people and groups in conflict and equip people to deal constructively and transformatively with conflict, we've found it very helpful to ground our work in a set of principles. And, as a people of faith, these principles are themselves grounded in the Bible. They have been compiled through the years by a variety of MCS staff and have been tweaked and strengthened by much discussion among mediation and workshop participants. We offer them to you now in your own journey.

1. Conflict is natural.

We all see evidence of this statement in so many areas of our own lives and in the lives of those we seek to emulate in the Bible. As we go back to Genesis 1, we note that God fills the created world with a fascinating and fantastic diversity and then grants humans the freedom of choice. This freedom allows for difference and conflict (not inherently negative) to flourish.

2. Conflict can be constructive.

The important words here are “can be.” We are all able to point to devastatingly destructive conflicts; the main difference lies in how we choose to respond. In Acts 15, the early church is at a crossroads. With the conflict over allowing uncircumcised Gentiles into the family of believers and the subsequent Council of Jerusalem, the church could very well have split into several different groups. But instead, people acted constructively—they listened, debated, responded and prayed—and the church seized it as an opportunity to define what was of real importance to them and to work to further the Kingdom of God.

3. In any situation we have part, but only part, of the truth.

This statement doesn't speak to a wishy-washy “everyone's equally right” idea. There may well be one truth, but only God knows for sure what that truth is. This does, however, speak to the idea that everyone is served well in conflict if I am able to come to the table with enough respect to speak my side of the story and enough humility to listen to your side. 1 Corinthians 13 talks about seeing in a mirror dimly. In our humanness, we cannot possibly see with the clarity of God and, as difficult as it is, we would do well to recognize that reality.

4. Conflict may be holy ground.

Again, the crucial words here are “may be.” And, again, it often depends on how the participants choose to respond. Sometimes it is when we are at our most vulnerable (and this often occurs during times of conflict) that we are most open to listening to and being led by God. God has given us guidance and courage through God's Word to make the most life-affirming and transformative choices when in conflict.

5. When in conflict, none of these principles make sense.

The reality check. As sound advice as these principles may offer, we are human and tend to forget the bulk of them when we're in the midst of a heated conflict. But then we take a breath, go back to the beginning, realize God has not abandoned us and embark anew on holy ground.

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“Fessing Up” to Power

Carolyn Schrock-Shenk

I am a powerful person. I am a white, middle-class, educated, North American woman with a strong community of friends, a supportive church and a stable, well-paying job. These are a few of my sources of power in this society. There are others. And it is critical that I look at these things squarely and “fess up” to them.

But it is hard.

I suspect few things make us church folk more skittish than talking about power. Most of us are more comfortable talking about servanthood, brotherhood or sisterhood. Talking about power is as difficult as talking about sex, race or money.

We need to talk about how power is distributed in our congregations, agencies and in society—who has most of it, who has least, why the disparity and what difference that disparity makes. And that reflection needs to start with ourselves. We who are committed to justice and right relationships need to become aware of and acknowledge the ways we are powerful as individuals and as groups. Honesty about power is critical for at least three reasons:

1. *I want to avoid abusing my power.* Power is ambiguous, slippery and intoxicating, and will control me if I am not conscious of its role in my life. I cannot control or manage something I deny having. Declaring myself as only a servant among people with less power than I is not honest. And it is dangerous. Denying my power is a small step away from abusing it. Unless the rules and structure of my organization or society provide fair boundaries, I am not held accountable for how I use my power.

2. *I want to use my power responsibly.* Power—the ability to get things done or to influence outcomes—is not intrinsically negative, or even neutral. I have been leading workshops on power for several years in order to address abuses of power, and I am only recently understanding that power is inherently positive. All of us need power to exist, to do good, to transform conflict and violence and evil.

What is problematic is the tendency for the disparity between the powerful and the powerless to produce oppression and injustice. In situations where I have more power than those around me by virtue of my role

or ethnicity or class or gender, I can hang on to my power and impose control, subtly or overtly. Or, I can find ways to share power, to make decisions with others rather than for others, to provide opportunities for empowering the less powerful, to refuse the privilege my power gives me.

3. *I want to build right relationships in my family, community, church, place of employment and society.* We have become so accustomed to power inequities that many of us accept them as inevitable. For example, a small percentage of people control a large percent of the world’s resources. African Americans face the death penalty much more frequently than Anglos for the same crimes. Women get paid less than men for the same tasks.

These and similar inequities are not inevitable. As I read in the Bible about justice, and the life and mission of Jesus, I realize inequities are not part of “God’s will on Earth as it is in Heaven.” Systemic evils must be named, addressed and changed. We are God’s hands and feet on earth and we are called to this task.

Become God’s Instruments

If we want to cause fundamental change in our own relationships and in society more broadly, we can only do so if we understand our own power in relationship to others and understand how that reality is a microcosm of broader society.

Those of us who are relatively powerful people must both acknowledge our own power and understand these power dynamics to become effective instruments of God’s peace and God’s justice. Just as importantly, those who are relatively powerless due to ethnicity or gender or class are called to respond to that injustice.

Truly this is the message of the kingdom: the first shall be last, the greatest shall be the least, a little child shall lead them, the captives shall be released. May we embrace the difficulty, the complexity and the wonder of that message.

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Ten Principles of Identity for Peacebuilders

Lisa Schirch

1. People have a human need to define themselves. We need ways of saying, “This is who I am.”
2. People create a sense of who they are through their relationships with others. We define ourselves by our interactions with those around us.
3. Individuals define themselves in multiple ways based on the social or cultural groups that influence and/or shape them (Diagram 1). In order to understand any identity component, one must look at the interactions between that identity component and the others held by that individual or group. To describe a person as “white” says very little about her identity. To describe someone as a “white, middle-class, well-educated, Protestant, professional, Californian, mother” enriches the description of a person, but it still does not define all her characteristics and qualities.
4. People gain a sense of self through their relationships with people who are the same as they are and/or those who are different. Forms of identity based on *sameness* use positive comparisons with others: I know who I am because of my positive association with others like me. For example, adopted children may belong to an association of other adopted children in order to find social support. Identities based on difference use negative

comparisons with others: I know who I am by knowing who I am not. People distinguish themselves from others through biological differences (such as gender, skin color or age) or socially constructed differences (such as religion, ideology or class).

5. Forms of identity based on difference are often a *source of conflict*. The psychology of ethnocentrism leads people to believe their social group is superior to other social groups. People may be willing both to kill and die defending certain social groups and values. For example, some Americans were so certain that capitalism was superior to communism during the Cold War that many said they “would rather be dead than red.” In other words, some were willing to fight and die to preserve one aspect of their personhood based on the economic ideology of their country.
6. Forms of identity based on difference may also *result from conflict*. Conflict plays a role in creating “in-groups,” or allies, and “out-groups,” or enemies. Conflict strengthens perceptions of who is good and who is bad, allowing people to create simplified ways of understanding the world. For example, many early European settlers to the “New World” peacefully coexisted with First Nations peoples, sharing a sense of common humanity and friendship. When struggles for land and resources increased between settlers and First Nations peoples, the group identities of “white” and “native” took on new importance. In these conflicts, each group set out to dehumanize and often do away with the “other.”
7. The way an individual identifies himself or herself differs in conflict and nonconflict situations. In nonconflict situations, people seem to define themselves broadly, as shown in Diagram 1. People may also come to see themselves through the lens of conflict (Diagram 2). Therefore, people engaged in gender conflicts may perceive being “male” or “female” as their primary or sole identity. In conflicts involving race, people may see themselves as primarily “white” or “black.”

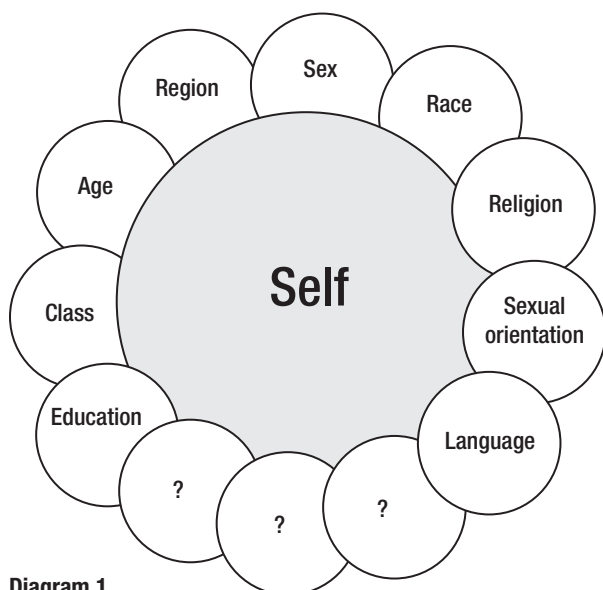


Diagram 1

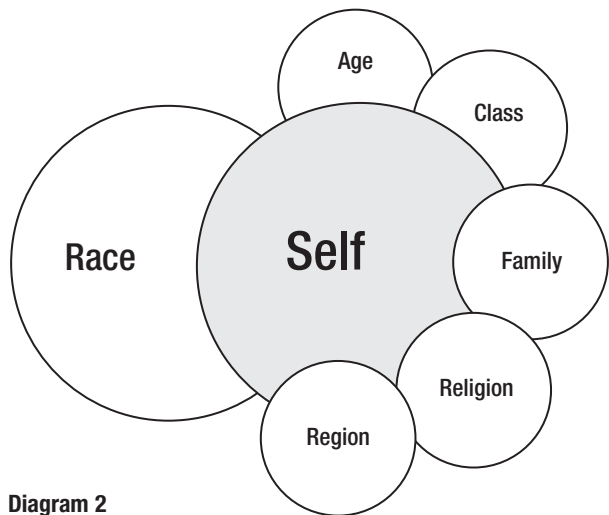


Diagram 2

8. The way an individual or group defines others also differs in conflict and nonconflict contexts. In nonconflict situations, people are less likely to stereotype others or categorize them according to only one social group. However, the process of assigning a stripped-down identity to another person or group seems to increase during conflicts. For example, in the United States, white people do not usually judge the personal characteristics of other white people based on skin color alone. However, many Americans who have been socialized in a racist setting will make immediate judgements of the character of people of color based solely on the color of their skin.

9. Because of the connection between conflict and identity, perceptions of self and other may need to be transformed in peacebuilding efforts. Rehumanizing oneself and one's enemy requires transforming the perceptions of the ways people are identified. This occurs by increasing the flexibility or relative importance of the ways people identify themselves. As people become aware of their interdependence with many other social groups, including with their enemy, they gain a fuller sense of their own and their enemy's identities. For example, Palestinian and Israeli women who have met and discussed the many shared aspects of their lives as mothers, sisters, wives, widows and victims of conflict have gone through a process of rehumanizing their sense of self and other. Together they are in a stronger position to build peace in the region.

10. Perceptions of identity change according to physical and relational contexts. At the workplace, a person may relate to others through her professional identity. When at home, a person will interact with others according to her family role as mother, wife or daughter. The typical negotiation room is sterile and encourages people to identify each other as "negotiators" or members of a single identity group related to the conflict. Peacebuilders can intentionally create contexts where adversaries are encouraged to see themselves and others through lenses that allow a fuller definition of both self and other.

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Know Thyself

David Brubaker and Jim Stutzman

Effective conflict management begins with self-management, and self-management begins with self-awareness—with knowing and understanding oneself. The value of such understanding is magnified in conflict. As individuals become aware of the way they tend to react in the stress of conflict, they can make choices to modify their behavior—behavior that might be hurtful to self or others.

The next step is understanding and respecting the styles of others, which may be very different from one's own. One might discover, for example, that the style of a colleague is not really dysfunctional or obnoxious, but appears that way because the combination of some styles is prone to mutual frustration and misunderstanding. An understanding of and appreciation for style differences is crucial to the person who wishes to positively manage conflict.

Many instruments exist to assist individuals in assessing their “style” in conflict.

Thomas-Kilmann Conflict Mode Instrument

One of the best known instruments is the Thomas-Kilmann (T-K) Conflict Mode Instrument, developed by Kenneth W. Thomas and Ralph H. Kilmann. The T-K posits five distinct styles in responding to conflict: accommodation, avoidance, compromise, competition, and collaboration. It is useful for working with groups, as it demonstrates a range of responses to conflict among individuals. The T-K can be administered and interpreted relatively quickly.

One limitation of the T-K is its narrow focus on responses to conflict. The five T-K “styles” are actually better described as “approaches.” Researchers who have worked with a variety of style instruments suggest using more than one to provide more information. One can consider one's T-K conflict “style,” for example, alongside one's Myers-Briggs or Gilmore-Fraleigh profiles, which provide a broader picture of one's orientation to life.

Myers-Briggs Type Indicator

The Myers-Briggs Type Indicator (MBTI) is a preference sorter using four continua to indicate extroversion/introversion, sensing/intuition, thinking/feeling, and

judging/perceiving. The 16 possible types are determined according to where one fits on each of these scales. In conflict situations it is helpful to understand if an individual characteristically values openness or privacy, method or intuition, fairness or mercy, and early closure or information gathering with spontaneous action.

The Gilmore-Fraleigh Style Profile

Many conflict practitioners use the Gilmore-Fraleigh (G-F) Style Profile, developed by Susan K. Gilmore and Patrick W. Fraleigh. The G-F is similar to the MBTI in that it focuses on broad personality function. But it is less sophisticated—therefore easier to interpret—and more directly focused on how individuals interact with one another. This makes it a good tool for learning about interpersonal conflict.

The G-F instrument posits just four styles, reminiscent of the four humors of medieval wisdom (sanguine, phlegmatic, choleric and melancholic). These are accommodating/harmonizing, analyzing/preserving, achieving/directing and affiliating/perfecting.

A particularly helpful characteristic of the G-F instrument is that it provides two sets of scores, one for “calm conditions” and one for “storm conditions.” The assumption is that many individuals respond differently in the stress of conflict (storm) than in normal interaction. Understanding this “stress shift” allows one to anticipate and better manage oneself under “storm conditions,” and understand and relate better to others whose behavior changes under stress.

Another helpful characteristic is that the G-F highlights both the strengths and the weaknesses of each of the four styles. It is difficult to use the Thomas-Kilmann material without communicating a strong bias toward the use of “collaboration” in most conditions. Therefore, most users will likely find the G-F more affirming and empowering than the T-K.

The G-F provides considerable information regarding how the styles interact. This knowledge enables users to strategically plan how to bring the best out of others and to communicate clearly their own needs in working out differences. The G-F is available in three versions, intended for work colleagues, students and “intimate partners.” Other materials are available.

Enneagram

The Enneagram, based on an ancient typology, is a tool that identifies nine distinct personality types. The basis of the Enneagram is that each person's world view shapes his or her personality. Each personality type has strengths including characteristic ways of dealing with stresses such as conflict.

The Enneagram profile helps individuals understand their unconscious motivations for behavior—their “habits of mind” that guide interactions with others. This tool has been used effectively by individuals in conflict and by intervenors to help raise awareness of patterns of thinking, feeling and acting, and to help parties become better able to understand motivations and talk about stressful interactions.

There are various books and workshops available on the Enneagram, which is also well known in some religious circles as a helpful spiritual development tool.

The MCS Style Inventory

On page 36 is a style inventory developed by Ron Kraybill. While this instrument has not been used as widely nor tested for validity as have the T-K, the G-F and other instruments, it is a simple instrument that can serve as a starting point for reflection about one's preferred approach to conflict. Like the T-K, Kraybill's instrument focuses more narrowly on conflict behavior and not broadly on a variety of personality factors. Like the G-F, the instrument provides a “calm” and a “storm” score so users can consider their responses under varying conditions.

Like the T-K, the Kraybill inventory tends to place more value on one approach: collaborating. It is important to note that each of the approaches can be appropriate given the situation, and that each has its drawbacks or “costs” if overused or if used in every situation. A key benefit of the awareness of our predominant style and the other approaches is realizing we can make choices in response to most conflict situations.

After completing and scoring the inventory, consider (and discuss with others) these questions:

1. Do you agree that the approaches that received the highest scores are your predominant approaches to conflict?
2. What conflict approaches in other people do you find difficult to understand or work with?
3. What approaches would you like to strengthen, aside from those that received the highest scores? How might you work at that?

Styles and Culture

There are many factors that influence our tendencies in conflict. Many personality researchers note that many of our preferences and ways of interacting are “set” at a very young age. While biology plays a role in influencing our behavior, we are also strongly shaped by the many “cultures” of which we are a part—culture defined much more broadly than “race” or “ethnicity.” Some of these other cultural influences include our gender group, socioeconomic class, geographical location, education, institutions we are a part of, etc.

In their training manual *Conflict Analysis and Resolution as Education* (UVic Institute for Dispute Resolution, 1994), Michelle LeBaron and Victor C. Robinson propose these questions for reflection and discussion:

1. What did I learn about conflict from my family/different cultural groups with which I affiliate?
2. What does this information about my conflict handling style mean for me when I am involved in a conflict?
3. What does this information about my style mean for me as an intervenor?

Conclusion

Key to helping others in conflict is knowing and understanding one's own tendencies in conflict. Self-reflection is an ongoing task for peacemakers, and not a “once and done” thing. Each person does have a predominant style of doing things in life, including “doing conflict.” We can combine self-awareness, knowledge of the variety of responses to conflict that are available, and continual skill-building to work at responding more constructively to the conflicts—the “differences heated up”—that are a part of our lives.

Ordering Information

Enneagram. <http://www.enneagraminstitute.com>.

Gilmore-Fraleigh Style Profile: Friendly Press, PO Box 7517, Eugene, OR 97401; 888-541-0336; <http://www.friendlypress.com>.

Myers Briggs Type Indicator and *Thomas-Kilmann Conflict Mode Instrument*: CPP, Inc., and Davies-Black Publishing, 1055 Joaquin Road, 2nd Floor, Mountain View, CA 94043; 800-624-1765; <http://www.cpp.com>.

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Personal Conflict Style Inventory

Ron Kraybill

Please Note: The reflection this inventory can create is more important—and more reliable—than the numbers the tally sheet yields. There are no “right” or “wrong” answers, nor have we “standardized” this instrument. Some takers agree with the results; others disagree. Whether you like the results or not, you should rely on them for an accurate picture of yourself only after further self-scrutiny and discussion with others. The inventory is merely a tool to enable these larger tasks.

Instructions: Consider your response in situations where your wishes differ from those of another person. Note that statements A–J deal with your *initial* response to disagreement; statements K–T deal with your response *after the disagreement has gotten stronger*. If you find it easier, you may choose one particular conflict setting and use it as background for all the questions. Circle one number on the line below each statement.

When I first discover that differences exist. . .

A. . . . I make sure that all views are out in the open and treated with equal consideration, even if there seems to be substantial disagreement.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 — → Very characteristic

B. . . . I devote more attention to making sure others understand the logic and benefits of my position than I do to pleasing them.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 — → Very characteristic

C. . . . I make my needs known, but I tone them down a bit and look for solutions somewhere in the middle.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 — → Very characteristic

D. . . . I pull back from discussion for a time to avoid tension.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 — → Very characteristic

E. . . . I devote more attention to feelings of others than to my personal goals.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 — → Very characteristic

F. . . . I make sure my agenda doesn't get in the way of our relationship.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 — → Very characteristic

G. . . . I actively explain my ideas and just as actively take steps to understand others.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 — → Very characteristic

H. . . . I am more concerned with goals I believe to be important than with how others feel about things.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 — → Very characteristic

I. . . . I decide the differences aren't worth worrying about.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 → **Very characteristic**

J. . . . I give up some points in exchange for others.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 → **Very characteristic**

If differences persist and feelings escalate. . .

K. . . . I enter more actively into discussion and hold out for ways to meet the needs of others as well as my own.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 → **Very characteristic**

L. . . . I put forth greater effort to make sure that the truth as I see it is recognized and less on pleasing others.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 → **Very characteristic**

M. . . . I try to be reasonable by not asking for my full preferences, but I make sure I get some of what I want.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 → **Very characteristic**

N. . . . I don't push for things to be done my way, and I pull back somewhat from the demands of others.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 → **Very characteristic**

O. . . . I set aside my own preferences and become more concerned with keeping the relationship comfortable.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 → **Very characteristic**

P. . . . I interact less with others and look for ways to find a safe distance.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 → **Very characteristic**

Q. . . . I do what needs to be done and hope we can mend feelings later.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 → **Very characteristic**

R. . . . I do what is necessary to soothe the other's feelings.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 → **Very characteristic**

S. . . . I pay close attention to the desires of others but remain firm that they need to pay equal attention to my desires.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 → **Very characteristic**

T. . . . I press for moderation and compromise so we can make a decision and move on with things.

Not at all characteristic ← 1 — 2 — 3 — 4 — 5 — 6 → **Very characteristic**

Style Inventory Tally Sheet

When you are finished, write the number from each item to the tally sheet. For example, on item B, if you selected number 1, write "1" on the line designated for B on the tally sheet. Then add the numbers. B 1 + H 4 = 5 Calm. Write the number you circled for each situation beside the corresponding letter. Add each of the 10 columns of the tally chart, writing the total of each in the empty box just below the double line.

A ____	K ____	B ____	L ____	C ____	M ____	D ____	N ____	E ____	O ____
G ____	S ____	H ____	Q ____	J ____	T ____	I ____	P ____	F ____	R ____
Calm	Storm	Calm	Storm	Calm	Storm	Calm	Storm	Calm	Storm
Collaborating		Forcing		Compromising		Avoiding		Accommodating	

Now list your scores and the style names in order from highest score to lowest in both the calm and storm columns below.

Calm

Response when issues/conflicts first arise.

_____	_____
score	style
_____	_____
_____	_____
_____	_____
_____	_____

Storm

Response after the issues/conflicts have been unresolved and have grown in intensity.

_____	_____
score	style
_____	_____
_____	_____
_____	_____
_____	_____

Interpreting the Scores

This exercise gives you two sets of scores for each of the five approaches to conflict. Calm scores apply to your response when disagreement first arises. Storm scores apply to your response if things are not easily resolved and emotions get stronger. The higher your score in a given style, the more likely you are to use this style in responding to conflict. The highest score in each of the columns indicates a "preferred" or primary style. If two or more styles have the same score, they are equally "preferred." The second highest score indicates one's "backup" style if the number is relatively close to the highest score. A fairly even score across all of the styles indicates a "flat profile." Persons with a flat profile tend to be able to choose easily among the various responses to conflict.

Approaches to Conflict

Ron Kraybill

Forcing (“my way”)

Overview: Control the outcome; discourage disagreement; insist on my view prevailing.

Perspective on Conflict: Conflict is obvious; some people are right and some people are wrong. The central issue is who is right. Pressure and coercion are necessary.

Often appropriate when . . .

- an emergency looms.
- you’re sure you’re right, and being right matters more than preserving relationships.
- the issue is trivial, and others don’t really care what happens.

Often inappropriate when . . .

- collaboration has not yet been attempted.
- cooperation from others is important.
- used routinely for most issues.
- self-respect of others is diminished needlessly.

High
Concern
for
Issues

9

8

7

6

Collaborating (“our way”)

Overview: Assert your views while also inviting other views. Welcome differences; identify all main concerns; generate options; search for solution that meets as many concerns as possible; search for mutual agreement.

Perspective on Conflict: Conflict is natural and neutral, so affirm differences, prize each person’s uniqueness. Recognize tensions in relationships and contrasts in viewpoint. Work through conflicts of closeness.

Often appropriate when . . .

- issues and relationship are both significant.
- cooperation is important.
- a creative outcome is important.
- reasonable hope exists to meet all concerns.

Often inappropriate when . . .

- time is short.
- the issues are unimportant.
- you’re overloaded with “processing.”
- the goals of the other person are wrong beyond doubt.

Compromising (“half way”)

Overview: Urge moderation; bargain; split the difference; find a little something for everyone; meet them halfway.

Perspective on Conflict: Conflict is mutual difference best resolved by cooperation and compromise. If each comes halfway, progress can be made by the democratic process.

Often appropriate when . . .

- cooperation is important, but time or resources are limited.
- finding *some* solution, even less than the best, is better than a complete stalemate.
- efforts to collaborate will be misunderstood as forcing.

Often inappropriate when . . .

- it’s essential to find the most creative solutions.
- when you can’t live with the consequences.

Low Concern for Relationship

1 2 3 4

High Concern for Relationship

6 7 8 9

Avoiding (“no way”)

Overview: Delay or avoid response; withdraw; be inaccessible; divert attention.

Perspective on Conflict: Conflict is hopeless; avoid it. Ignore differences; accept disagreement or get out.

Often appropriate when . . .

- the issue is trivial.
- the relationship is insignificant.
- time is short and a decision is not necessary.
- you have little power, but still wish to block the other person.

Often inappropriate when . . .

- you care about the issues and the relationship.
- used habitually for most issues.
- a residue of negative feelings is likely to linger.
- others would benefit from caring confrontation.

4

3

2

1

Low
Concern
for
Issues

Accommodating (“your way”)

Overview: Accept the other’s view; let the other’s view prevail; give in; support; acknowledge error; decide it’s no big deal or it doesn’t matter.

Perspective on Conflict: Conflict is usually disastrous, so yield. Sacrifice your own interests; ignore the issues; put relationships first; keep peace at any cost.

Often appropriate when . . .

- you really don’t care about the issue.
- you’re powerless, but don’t wish to block the other.

Often inappropriate when . . .

- you are likely to harbor resentment.
- used habitually in order to gain acceptance. (Outcome: depression and lack of self-respect.)
- when others wish to collaborate and will feel like they are forcing you if you accommodate.

Commitment to be Constructive

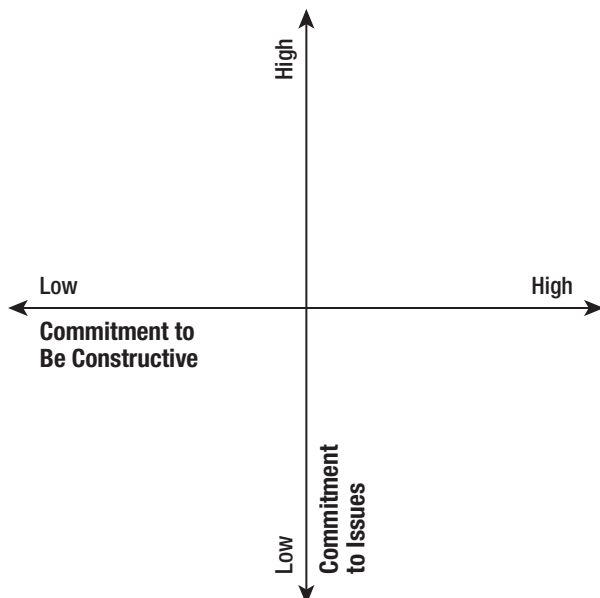
Ron Claassen

In any conflict there are three main considerations: people, problems and process.

Sometimes someone in a conflict says “Let’s just deal with the issues here. Let’s leave out all relationship and personality stuff.” I don’t think that it is possible. I think that every time you work on issues, the relationships of those involved will be impacted. Vice versa, working on the relationship will impact work on the issues. What I have observed is an interrelationship that cannot, or should not, be ignored.

Frequently, the idea of trying to find a cooperative resolution, whether between two people or within a group, is viewed as a very time consuming process that often ends in frustration. We can be much more efficient and effective when utilizing a cooperative resolution process if we keep reminding ourselves of our “commitment to be constructive.” I have chosen this aspect of the relationship between individuals in conflict because I believe it is more critical than simply “whether the relationship is important.”

The vertical continuum in the diagram below represents the issues in the conflict. High means that the issue is important to me. Low means the issue is not important to me. On any issue we discuss, we are all somewhere on the continuum between high and low. The horizontal continuum represents my commitment



to be constructive in this relationship as it relates to the issue being discussed. High means that I am willing to act in a way that demonstrates my willingness to search for some way of handling this problem that will be constructive for all parties. Low means that I am not willing to act in ways that demonstrate my willingness to look for a constructive resolution for both. This means that my actions might be destructive for at least one of the parties.

There is a cartoon that says: “Sure, that’s right, just walk out of the room. You know what your trouble is? You can’t take destructive criticism.” It is an accurate and concise illustration of one of the options—walking out—when one party perceives another as being destructive.

Constructive Style

I use this diagram in training events to help individuals consider how their personal style of handling conflicts will likely impact those with whom they relate.

I ask participants to work in groups of two or three and place all of the styles (avoiding, compromising, collaborating, forcing and accommodating) on the grid, assuming all they know about the person is the style you see being acted out. In other words, “Based on the style, what is your sense of their commitment to the issues (high or low)? Of their commitment to being constructive in the relationship (high or low)?”

I think that it is possible to use all of the styles in all of the quadrants, but using some on the right-hand side would require much more conversation and convincing to persuade the other party that you are on the constructive side of the continuum. The purpose of this is to increase awareness of the impact of the style on others. Whatever our style, we need to ask ourselves “In which quadrant do I think someone would put me if all they knew about me was the style I use?” And, “Is that the quadrant in which I want to be perceived?”

Constructive Negotiation

I also use this diagram to help individuals determine their readiness for using mediation to resolve a conflict and, when a mediation gets “stuck,” whether they should continue trying.

In my first meeting with parties, individually or together, I draw the diagram and explain to them what it is intended to illustrate. At the end of the description I suggest that it would be possible in their case for each of them to stay high on both the issues and high on the commitment to be constructive. I point this out to illustrate that they have a number of options in terms of how to relate in this dispute.

I ask them if they are willing to work on the right-hand side. I say that I realize from time to time they may forget and move toward the left-hand side, but I wonder if they would be willing to allow me to ask them throughout the mediation if they are still on the right-hand side.

I tell them that as I understand my role as a mediator, it is important only to bring those people together in a mediation who have agreed to work on the right-hand side. That’s what mediation is all about—people agreeing to try to work together constructively. Often in an individual meeting, the first response to me is that they probably could be on the right-hand side but their opponent, they are sure, is not. I then remind them that it is my responsibility to only bring them together if they both say that they are willing to work on the right-hand side.

Then I ask again if they would be willing to commit themselves to work on that right-hand side. If they both say yes, then I bring them together in a mediation and start that meeting by again drawing the diagram and saying, “I have met with both of you and you have each assured me that your intention is to work on the upper right-hand side, isn’t that right?” If they don’t both say yes, we are not ready to start the mediation.

A problem I have observed and experienced is that if we don’t get agreement on the issues (in a reasonably short time or sometimes even after a long time), we often feel like we have to make a choice between being constructive or staying high on the issues (standing up for my convictions).

Another problem I have observed is the difficulty in sorting out my feelings and how I am going to choose to act. Sometimes, when I don’t have very constructive

feelings, choosing to act in constructive ways seems to feel like just that, “an act,” as “fake” or “phony” or at least incongruent. I suggest that this is normal and that as (or if) things are worked out, feelings will catch up with the decision to be constructive. Sometimes if things aren’t worked out soon the need to live with the incongruence is very difficult.

This is what I think Jesus was saying in his teaching to “love your enemies.” He was suggesting that it is possible, and it is God’s preference, for a person to stay on the constructive side of the continuum even with someone who has very different goals or objectives or has very different positions on issues, even when those issues are very important to that person.

Constructive Peacemaking

I think that all peacemaking starts with a decision on the part of at least one of the parties to be constructive. The easiest situation in which to make peace is when the other party also decides to be constructive. But, I can still decide what I am going to do about being constructive regardless of whether the other is on the constructive side.

Shalom-peace is defined as peace that results from right relations. The Bible does not suggest that peace exists when we have no differences or conflicts. Rather, shalom-peace is the kind of peace that results from knowing that when conflicts emerge, there will be a constructive way of dealing with the conflicts. It is important here to recognize that I am not suggesting “giving in” on the issues of concern. What I am suggesting is that we need to remember that the issues are on the other continuum. That means that it is possible to remain high on the commitment to be constructive while also being highly committed to the issues.

There are no guarantees that things will come out the way I want or in my favor in the short view, but maintaining an unconditional commitment to being constructive is, as I understand it, what it means to know God. In the words of 1 John 4, “God is love (agape—unconditional love). Those who love (agape—are unconditionally committed to being constructive) know God. Those who do not love (non-agape—are not committed to being constructive) do not know God.”

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CHAPTER 2 • SECTION 2



The Relational Dimension

“I Have Had Enough!” A Lesson in Grade School Reconciliation Strategies

Matthew Ammann and Loyde H. Hartley

“If your brother sins against you, go and tell him his fault, between you and him alone. If he listens to you, you have gained your brother. But if he does not listen, take one or two others along with you, that every word may be confirmed by the evidence of two or three witnesses. If he refuses to listen to them, [Jack’s Plan C?] tell it to the Church. . . .”
Matt. 18:15–17 (RSV).

“Jack,” a 10-year-old fifth grader, asked that his real name not be used in this story. All the other names have been changed, too. Both Jack and his parents have read the article, and they approve of it being published in the Conflict Transformation and Restorative Justice Manual.

Because of his dyslexia, Jack has been the target of teasing ever since the second grade. Letters appear to dance around on the printed page. When he reads aloud slowly and misses some of the words, the other children take notice. Spelling challenges him, too, especially when he is under time pressure. His handwriting legibility is much below expectations for his age group, but he expresses himself very well when he uses a computer and has time to reflect.

Jack did not discuss many details of his current bullying problem with his parents until after he finished writing a letter he planned to give to his teacher—a letter that spelled out his thoughts on one particular bully who, as Jack puts it, “is the first to use my dyslexia as a weapon against me.” His parents agreed that he should send the letter, and they made no grammar, spelling or other editorial revisions to it.

Dear Mrs. Loreman,

Dan is giving me trouble during spelling tests. I would like to try to handle this on my own. Just to let you know what is going on, I am having a harder time on my spelling tests than usual because Dan is trying to be mean with my spelling words by putting them into hateful sentences. For example “Jack gets a bad result every time he takes a test.” He tries to rush me on purpose. He says he’ll start talking nonsense if I don’t finish quickly enough to satisfy him. I have

talked to Dan about this and he has not stopped until this Friday. He stopped today but he still didn’t give me any sentences at all, and he read the wrong word for some of them. My mom tested me on my spelling words this afternoon and I got them all correct.

Dan has taken food from me at lunch. I have had enough! But I would like to try solving my problem on my own. I might come to talk to you about having Mrs. Enright [a teaching aide] test me on spelling. But I think I can get this to work out. At some point I may also have you come talk to Dan but please let me try on my own. If he gives me too much trouble I will tell you and not beat my head against the wall. I wanted to talk about this issue with my mom and dad first. Also I don’t want to be mean to Dan, but he is stressing me. Sometimes at lunch Dan will look in my lunch bag to see what kind of treat I brought. He often wants my apple and my treats. Today when I was cleaning the Guinea pig’s cage Dan wanted to help on everything and do it all himself.

There is also the issue of fairness in Friday miles. [As a part of a physical fitness program, the children self-report the number of miles they ran, walked, or rode their bicycles during the week. The class with the most miles wins a prize.] Dan entered 307 miles in a 3 week period. That is 102.33 miles per week. I think Dan did this because he just wanted to beat my miles [Jack is athletic and normally reports more miles than the other students do]. Maybe Dan needs to negotiate this problem out with Mr. Craft [the physical education teacher]. But it bothers me because I work hard for my miles and I want our class to win fair and square.

I feel these matters are very important because they hurt my learning. They also make me feel unhappy and feel stressed out and sick. I have tried very hard to keep my full unhappy feelings to myself, but express them in a way that won’t hurt anybody else’s feelings or make them too sad. Would you please help me work this

through? I'll come to you when I need the help and we have the time to talk, but I don't want to do this in front of everybody, especially Dan. There are some things that I would not like anybody else in the class to know. I wouldn't like that because I think that other people might get too involved in this and I don't want this to be public. Would you share this with Mrs. Enright?

(Signed) Jack

Conflict with a bully is always unpleasant, even for adults, and sometimes it's dangerous. In this particular instance, however, the physical danger wasn't very great because Jack's athletic abilities far exceeded Dan's. Jack might easily have chosen one of the conventional options to even the score: fight (he's quite strong) or flight (he's swift). Alternatively, he might have done nothing at all, allowing Dan to continue the ill-treatment. But none of these approaches appealed to his sensibilities; in fact, the possibility of retaliation seems never to have occurred to him at all. "I don't want to be mean to Dan," Jack insists.

There are, of course, times we must flee or become combative, but such lines of attack are too costly and risky for ordinary conflicts; too counterproductive and over-reactive for everyday bullies. Avoiding the matter, hoping it will go away, hardly ever helps either. Frozen inaction invites ambush and leaves abuse unrestrained.

Less aggressive and more resilient, Jack's alternative for handling intimidation and torment, devised after a great deal of quiet personal reflection, matches closely what conflict resolution specialists suggest in such situations. He spells out a sequence of two plans and, although his letter was not intended as general advice for those plagued by bullies, it does suggest how others might manage this vexing problem with emotional intelligence.

Jack's Plan A. Before trying anything else, approach Dan privately and ask him to stop behaving badly. Make plain what Dan needs to change so the problem will go away.

- "Handle this on my own," but let someone else know what's going on.
- Get perspective on the conflict; "talk about this issue with my mom and dad."
- Take ownership of the problem; it's "my problem" that needs to be dealt with here, and not whatever Dan's may be.
- Put "my full unhappy feelings" into words. "I have had enough!" [Writing the letter not only informed

his parents and teachers about the situation, but it also helped Jack visualize his bringing about an alternative state of affairs, one that lies beyond current unhappy feelings.]

- Pinpoint specific incidents when Dan has made trouble. Be careful not to overstate them.
- Help Dan grasp the urgent need for change. "I feel these matters are very important because they hurt my learning."
- Focus on improving Dan's conduct, not on punishing him or making him sad. Dan's disturbing behavior is the problem, not Dan himself.
- Avoid threats, revenge and put-downs.
- Respect Dan's privacy.
- Do not recruit other students against Dan.
- Steer clear of Dan as an educational partner. Have "Mrs. Enright test me on spelling" instead of Dan.
- Don't be intimidated or tyrannized by Dan. "If he gives me too much trouble I will tell you."
- In the event that Dan refuses to change his ways, don't "beat my head against the wall."

Jack's Plan B. If Plan A fails, involve a few other helpful people in confronting Dan.

- Ask teachers for help. "Would you please help me work this through?"
- Make sure the teachers know enough about the situation so that when the time comes for them to step in, they'll know what's going on.
- Cite specific instances when Dan's heckling has been upsetting. "Dan is trying to be mean with my spelling words by putting them into hateful sentences. For example . . ."
- Name the justice issues involved. "There is also the issue of fairness . . ."
- Ask them to respect confidential information shared with them. "There are some things that I would not like anybody else in the class to know."
- Make sure the teachers do not get involved too soon or too heavy-handedly. Powerful authorities sometimes rush in heedlessly. Give Plan A the chance it deserves. "I'll come to you when I need the help."
- Don't seek sympathy, but, rather, seek support for ending the problem.
- Devise a joint strategy for confronting Dan. [This happened quickly after Jack emailed his letter.] Be open to alternative approaches.

-
- Anticipate peripheral outcomes. Avoid a public spectacle.
 - Discourage escalation.
 - Try not to hurt anyone, including Dan.

Although Jack felt strongly that Plan A must be given a fair chance and his best effort, it did not work. So Jack and his teacher, with parental approval, implemented Plan B. To do this, they recruited the help of Mrs. Harrison, the school's counselor, who arranged a meeting in her office in which Jack could confront Dan—this time with her being present as a facilitator. Being direct and respectful, Jack again told Dan what was bothering him and asked him to stop. At first Dan defended his actions, but then, with the counsellor present and knowing exactly what Jack was talking about, he readily promised not to behave that way anymore. Since that meeting, Jack and Dan have kept their distance

from each other. Perhaps they will never become friends, but the bullying has stopped and no one was trampled down by the process.

As his sixth grade school year dawns, Jack has come up with a new plan that may spark a change of heart. "Dan was mean to me; he called me names. But that's probably not a good excuse to keep from being friends. I never say I can't be a friend with anyone." Jack supposes, "There are some things that can't be forgiven, but most can." He reckons at least about "90 percent of the time."

Meanwhile, Jack has been invited to consult with a playwright who is sketching out a children's drama about schoolhouse bullies. Would someone kindly tell the U.S. Department of State that Jack might consult with them, too?

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Understanding Conflict: Experience, Structure and Dynamics

John Paul Lederach

Conflict is the gadfly of thought.
It stirs us to observation and memory.
It instigates us to invention.
It shocks us out of sheep-like passivity,
and sets us noting and contriving.
Conflict is a sine qua non
of reflection and ingenuity.

—JOHN DEWEY, 1930

Conflict Images and Metaphors

Most discussions of conflict start by defining what “conflict” is. We prefer to start by asking what conflict is like. Think for a minute. How would you complete these sentences:

Conflict is like . . . ?

My family does conflict like a . . . ?

I do conflict like a . . . ?

What images come to your mind? What symbols or metaphors? Consider, for example, the broad differences that exist between Western and Eastern conceptions. In the Western world, “conflict” is rooted in the Latin word *confligere*. Literally this means “to strike together.” It leaves us with an image of flint and stone, sparks, heat and fire. “Heat” is one of the most common metaphors for conflict. How many times have you heard or used one of these phrases: a “heated” discussion; “boiling” mad; an issue too “hot” to handle; or problems “simmering” below the surface? The Chinese, on the other hand, form the symbol for “crisis,” which we associate with conflict, by combining two terms: danger and opportunity. Such a view does not perceive conflict in terms of collision, force and heat, but rather as a challenge.

When people talk about their conflicts they often describe them metaphorically. Metaphors are a tremendous source for perceiving how people understand and experience a particular event or relationship. For some time we have been “collecting” conflict metaphors, and using them both as analytical and intervention tools. For example, in one seminar a woman described her family conflicts as an earthquake:

There are not many warning signals, the pressure building up from the bottom is not visible. It just hits. The ground shakes and splits. The noise of crumbling emotions is great. And then, a deep silence settles over the destruction. Now nobody can trust the ground, and the clean-up appears impossible.

The power of metaphors is their innate ability to tap into our experience and feelings about a situation. They evoke emotions, images and insights that we often are unable to provide in literal descriptions or analysis. In the above metaphor we can feel the uncertainty, vulnerability and hurt this person has experienced in her family conflicts. “In a nutshell,” we have a view of the situation, a description of problems that are otherwise hard to name, and the beginnings of what interventions may be useful. These descriptions that naturally emerge in people’s efforts to talk about their problems provide a resource for the aware conflict manager.

The Structure of Conflict

Conflict often appears overwhelming, confused and unmanageable to those involved and to potential intervenors. We have found that a simple, yet useful approach, is to view conflict as composed of three elements: people, process and problems. Any of these, or combinations of them, can be the cause of conflict, and will always be present in the development and outcome of a dispute. Let’s consider each of these in more detail.

People refers to the relational and psychological elements of the conflict. Included here are peoples’ feelings, emotions, self-esteem, and individual perceptions and conceptualization of the problems and others. In terms of outcome, this aspect of conflict represents the possibility of reaching psychological closure and interpersonal reconciliation. As intervenors we need to be aware and analyze how the “people” part of the conflict affects their interaction. Our efforts are aimed at:

- understanding and eliciting the expression of emotions and feelings;
- recognizing human need to explain, justify, and vent those feelings;

- taking time to listen and show respect for the basic dignity of people as human beings;
- supporting, not threatening, their self-esteem;
- probing deeper into their perception and conceptualization of the situation and of others; and
- identifying how others' behavior and the situation in general has affected them and their lives.

Process refers primarily to the way decisions get made and how people feel about it. We often overlook the process of decision-making as a key cause of conflict, but it is here that resentment, feelings of being treated unfairly, and a sense of powerlessness are rooted. People who feel excluded or sense they cannot influence decisions affecting their lives will rarely cooperate with and support those decisions. They may not overtly reject the decision, but their behavior will disrupt the relationship in subtle and covert ways. The goal of conflict management is to empower people to function as equals, structure a process of decision-making that involves those affected by the decisions and that feels fair to them. Our efforts are aimed at:

- uncovering the patterns of communication as they relate to decision-making;
- discovering how people feel about how decisions have been made;
- understanding the power balance or imbalance in the relationship; and
- developing a process that feels fair and includes the people affected by the decisions.

Problems refers to the specific issues and differences people have between them. These usually involve things like different values, opposing views about how to make a decision, incompatible needs or interests, and concrete differences regarding use, distribution or access to scarce resources (land, money, time). These are often referred to as the "real" root causes of conflict and people tend to "lock into" a position over these issues, creating an impasse. Ideally, creative conflict management helps identify the needs and interests underlying peoples' perspectives, rather than arguing over "positional" solutions. Our efforts are aimed at:

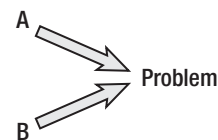
- clarifying areas of concern and specific issues separating people;
- uncovering the basic needs and interests underlying those issues;
- establishing mutually acceptable criteria/process for decision-making; and
- identifying principles and values held in common.

The Dynamics of Conflict

Researchers suggest that conflict, at almost all levels, also has certain predictable dynamics. Consider how several of these are related to our structure of people, process and problems.

1. Often what starts out as a disagreement is transformed into personal antagonism. Differences over specific problems get translated into charges against the other person and inferences about their character, intentions and motives. Instead of focusing on the problem they share, the people view the other person as the problem.

- People share and are responsible for the problem.

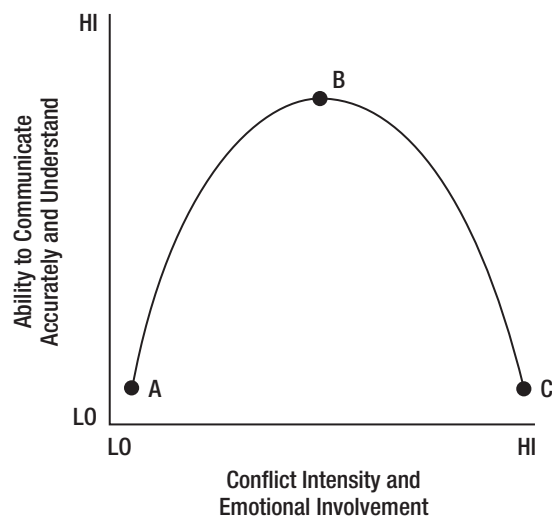


- The other person is viewed as the problem.



2. In most conflicts there is a pattern of change in issues as the conflict intensifies. Initially, a conflict emerges around a single issue; however, over time new and different problems "crop up." People's "talk" about the issues is increasingly less specific and more general. The pattern is one of issue expansion and proliferation, leaving a sense of confusion and unmanageability

3. Communication is increasingly less direct and less accurate. People have less contact and dialogue with their opponent, and more with those who agree with them. Increased intensity and emotional involvement corresponds with decreased ability to listen and communicate. Consider the figure below.



In the graph, conflict intensity and communication accuracy are compared. Point A on the graph suggests that little interaction and conflict result in little communication or mutual understanding. In other words, increased conflict serves to “get us thinking,” and helps us understand what the other person believes. Point B represents the ideal. Here we have the maximum level of conflict intensity and emotional involvement that can be handled productively. Our communication and understanding is at its highest. However, increased intensity from here produces less and less understanding. Point C symbolizes high intensity and emotional involvement and a complete inability to listen, communicate or understand.

4. The dynamics of an “eye for an eye” set in. This is what some scientists call “reciprocal causation.” People respond, not to the original issue or concern, but rather to the most recent response received from the other side. Escalation, both of hostility and personal antagonism, leads to a spiral of ever increasing intensity, mistrust and miscommunication.

5. In groups like congregations and neighborhoods, conflict often brings a change of social organization. As problems intensify, polarization sets in and people feel obligated to move into “one camp or the other.” It is difficult to stay on, or even find, neutral ground. Moderate stabilizing people have less influence, while more extremist influences emerge and become key players.

In sum, these dynamics together produce outcomes that are destructive to the relationship and rarely resolve the key issues in a satisfactory manner. Left unmanaged and unrestrained, the most harmful components of conflict drive out those that hold potential for regulating the interaction: extremism replaces moderation; antagonism replaces disagreement; assumptions and attributing motives replace dialogue and listening; original concerns are lost in the preoccupation of responding to the latest insult; and people are seen as the problem.

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A Dispute Transformation Continuum

Jim Stutzman



CHAPTER 2 • SECTION 3



The Structural Dimension

Power

Iris de León-Hartshorn

Our concepts of power are informed by how we have personally experienced power. In my own experience, I have sometimes felt powerless and have therefore concluded that power is finite. Reflecting back on my life, I know that my conclusion is not true; power is not finite.

Power is everywhere and it is the energy that allows us to make things happen between people, social bodies and structures. In Christine Firer Hinze's book, *Comprehending Power in Christian Social Ethics* (1995), she interprets Michael Foucault's quote "Power is everywhere; not because it embraces everything, but because it comes from everywhere" by saying, "Power is the multitudinous relations of force by which the actions of people and groups are produced, affected, and governed by other people or groups in crisscrossing ways throughout the social body" (p. 113). For Michael Foucault (1972), power is relational. Power is not given by another person or institution; it is the interaction of the various power relations that allows the sovereign's power to function.

Power can be experienced by individuals and social bodies as both liberative and oppressive, and it is sometimes hard to distinguish between the two. Power is not either/or. Even people groups who may describe themselves as oppressed have interactions of liberation both individually and/or collectively.

People who exert less power as individuals and as a group are often held back due to "internalized oppression." In Martin Luther King's last speech, *Where Do We Go From Here*, to the Southern Christian Leadership Counsel, he said,

As long as the mind is enslaved, the body can never be free. Psychological freedom, a firm sense of self-esteem, is the most powerful weapon against a long night of physical slavery. . . . The Negro will only be free when he reaches down to the inner depths of his own being and signs with a pen and ink of assertive manhood his own emancipation proclamation. (P. 246)

We often do not tap the power within our inner being that brings us to an awareness of the power around, through and in us. For Martin Luther King Jr., "power is the ability to achieve purpose" (p. 246). King thought power would bring about change.

In his book, *Pedagogy of the Oppressed*, Paulo Freire (1970) shared a similar understanding about power and the need for *conscientizacao* in order to help people move toward self-affirmation. Both King and Freire put an emphasis on love as playing a major role in their understanding of power and change. King said, "What is needed is a realization that power without love is reckless and abusive, and love without power is sentimental and anemic. Power at its best is love implementing the demands of justice, and justice at its best is power correcting everything that stands against love" (p. 247).

Freire, in his understanding of using the power of dialogue for change, said, "If I do not love the world—if I do not love life—if I do not love men—I cannot enter into dialogue" (p. 78). As Christians, does love become the yardstick for how we use power? If love means simply relationships, then I say no. I think both King and Freire would say love is about "just" relationships. The spiritual dimensions of power are integrated both in our ability to love ourselves and in our ability to love not just other human beings but all of life.

If power is rooted in relationships, how does it operate? Power operates in the messiness of our relationships. I struggle with phrases such as "power over," "power with," "power to," etc. I find these terms are often used in an all-or-nothing way when we know relationships are much more complicated.

How power operates includes questions around authority, accountability and the purpose of power. Anthony Giddens works in these areas integrating two streams of thought from the fields of philosophy and social science. His work in philosophy tends toward a theory of action, like the work of Karl Marx, Max Weber, and Emile Durkheim, and social scientific approaches in the vein of Ludwig Wittgenstein and Paul Ricoeur (Hinze 1995). Giddens moves away from the either/or debate about power to questions about accountability, authority and the common good of civil society. Integrating philosophy and social science is important since a person's socialization and his or her emphasis on action or structure will color his or her lens on power. For example, a theorist like Hannah Arendt would lean toward power as the "capacity to

do,” as action, whereas Marx would see power as limiting and dominated by structures. Each are true but not exclusive of one another. I think this is what Giddens’ structuration theory tries to articulate.

My understanding of structuration theory is that human agency and social structures are not two separate concepts, but are actually the duality of structure—the relational aspects of human agency engaging in social action to form social structures. These interactions in turn produce social systems. Giddens says that systems are “patterns of relations in groupings of all kinds, from small, intimate groups, to social networks, to large organizations” (Hinze 1995: 131).

Giddens also allows for the intersectionality of the various ways power is experienced. The reality is that human agency versus social structures, power-to versus power-over, and determinism versus freedom, are fluid and connected. I think that Giddens’ theory helps in seeing the messiness of being human.

This last section will talk specifically about power imbalances and partnerships and a way we might approach them. There have been writings on how we increase awareness of power imbalances, whether through *conscientizacao*, critical mass or other methods. But how do we work at power imbalances when we work for organizations that may partner with grassroots/community groups?

One concept used in anti-racism work has been the notion of veto power, which gives authority to the group with less power to veto decisions of partners with more power. In a way, it creates space for the group with less power to exercise their power, especially if decisions directly impact them.

In April 2006, I was on a trip in Jerusalem meeting with one of our Israeli partners that work with Palestinians on rebuilding demolished homes. I asked the director, Jeff Halper, how they work at power imbalances in their partnerships with Palestinians and he said they use the concept of “junior partners.” They treat the Palestinians as the senior partner and they are the jun-

ior partner taking direction and learning from the senior partner. Learning is a two-way street but the initiative comes from those with less power.

Whether you use the term “junior partner” or veto power, the concept is about creating space for a group with less power to exercise their power. This is important because partnerships between agencies and communities have often involved imposing the agency’s agenda. When we are in partnership, it makes sense that the community has the right to determine their future.

Creating space to exercise power can also work within groups. For example, during the Chicano movement of the 1960s, many college students were involved and often followed grassroots organizers with less education. Within the Mexican-American community, elders had authority but so did educated young people. Many students consciously chose to be followers seeing their role as supporters and as learners.

I believe the initiative to create space is on those with the most power in a relationship. Creating space for those with less power to use their power is one way of being held accountable in our relationships. It’s about allowing others to influence—and sometimes make—decisions. It’s about allowing love to be our ethic in how we treat other human beings, whether it’s interpersonal or between organizations.

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Perspectives for Assessing and Working With Power

John Paul Lederach

Mutual Dependence

Emerson has suggested that power is directly linked to dependence in any relationship. He provides the following equation:

$P_{ab} = D_{ba}$ The power (P) of A over B equals the dependence (D) of B on A.

This is best understood in terms of goals and needs. If I need you to reach my goals, then you have power over me for that situation. This is further refined by noting the *importance* of the goal and whether there are *alternative avenues* for reaching it. This perspective provides several direct questions for balancing power.

- Who is dependent on whom for meeting what goals?
- Can the person who feels in lower power change their goals or make them less important?
- Can the lower power person discover alternative ways of reaching the goals that do not depend on the other?
- In what subtle and implicit ways does the higher power person depend on the lower power person? What are ways of raising awareness about that dependence?

Consider several examples of how this works. Oddly, the strategy of “caring less” is a form of balancing power. For example, a teenager abuses his curfew privileges and the parent decides to punish by removing his access to the car (resource control). The teenager responds, “Big deal. I’ll just go with Joey.” (“Who cares” translates into “I am changing my goals and am not dependent on the car or you to meet them,” which equals increased sense of power that is further enhanced by the parent’s sense of anger at not being taken seriously and feeling powerless to alter the teen’s behavior.)

Or consider how the dynamics of labor/management conflicts illustrate these power dynamics and the fluid nature of seeking a balance. Labor feels they deserve a raise. Management refuses. At first assessment labor is dependent on management for the raise, thus management has power over labor and refuses to negotiate.

Labor then opts to demonstrate how management is dependent on them. They go on strike, slowing production and work. Management responds by hiring scabs as a way to reach the goal of continuing production and thereby demonstrate their independence of labor. Labor then begins a broader appeal calling for a boycott of the product by the general public, thus highlighting a different way in which management is dependent—this time on the buyer who is sympathizing with laid-off workers. The battle for power and dependence now turns to the media: whoever controls the media and the way the problem is framed and understood by the public may determine in whose favor the power balance will shift.

Currencies

Wilmot and Hocker (2001) talk about currencies as a way to understand power. Power, they suggest, depends on controlling currencies that other people need and value, and can be used for, against or with others. They list these in several general categories.

- *Expertise*: Knowledge, skill or talent in a specific subject or matter provides expertise others need and gives you power.
- *Resource control*: Controlling the rewards or punishments, often accompanying your position in an organization or system, provides power. Often these are related to economic resources, although a key to many conflicts is who controls information.
- *Interpersonal linkages*: Here power emerges through coalition formation, the bringing together of people who share a common goal. Coalitions, shifting alliances and polarization are all related to the ebb and flow of relational power and efforts to balance or maintain an imbalance of power.
- *Intimacy*: This relates to the ability of forming intimate bonds with others through love, sex, caring, nurturing and inclusion. Often conflict is expressed through the offering or removal of intimacy currencies. The “silent treatment,” for example, is a common form of intimacy currency withdrawal.

We also can add several ways that power is used and created in many social settings.

- *Authority*: Here power is located in the position, rank or status that one person occupies and that others view as legitimate. Where viewed as illegitimate, authority still carries the threat and use of sanctions that go with the position.
- *Presence*: Self-confidence, charisma, clear values and articulation, and assuredness all translate into power in social interactions.

Mediator power, for example, is based on *expertise* about the process, *authority* (legitimacy to exercise process control), and *presence* by connecting with disputing parties, maintaining a non-anxious demeanor and pursuing just and fair solutions.

Tips for Balancing

When power imbalances become apparent and need addressing, mediators can look to short and long term solutions. Short term assumes we are already “at the table;” long term means there is an unwillingness for the higher power party to even enter into mediation or negotiations.

Short Term

- Provide special education or training to prepare the lower power party to put forth their perspective and interests.
- Use support person or advocate to be with the lower power party in the process.
- Use resource expanders outside the mediation, like counselors, accountants and lawyers.
- Use caucus to check that people understand the implications of certain solutions that appear to favor the higher power person.

- Explore the unidentified currencies and resources the lower power party has and the links of mutual dependence.
- Enforce ground rules.
- Move conversation to a new venue; find new storytelling methods.
- Bring more stakeholders to the table.
- Do joint fact-finding.

Long Term

- Educate and raise public awareness concerning the issue and legitimacy of concerns.
- Develop strategies to demonstrate mutual dependence, e.g., non-cooperation, boycotts and strikes.
- Develop strategies to demonstrate illegitimacy of abuse of power, e.g., civil disobedience.
- Use mediation to articulate the legitimacy of lower power positions and interests.

As a bottom line, mediators must recognize that mediation is not always the most appropriate conflict resolution strategy. In situations of power imbalance, injustice and abuse, other strategies should be pursued, particularly when the situation has long-range ramifications for many people who are not likely to be represented in a face-to-face mediation.

One key is to develop the right forum for appropriately handling the conflict. For example, in a case of racial discrimination at work, the individuals involved can meet face-to-face and work on that particular situation. That forum, however, does not address the broader issue of institutional or systemic discrimination that must be addressed in another forum.

Reference

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CHAPTER 2 • SECTION 4



The Cultural Dimension

Culture and Values: Some Givens

adapted from the Community Board Program

A definition of culture: What everybody within a group knows that everybody else in the group knows.

1. Cultural assumptions are beliefs that are so completely accepted within the group that they do not need to be stated, questioned, or defended.
2. Everyone is ethnocentric. We see the world through culture-colored eyes.
3. We compare people and events based on our own systems and perspectives.
4. Each culture thinks its own ways are superior.
5. Our culture determines many of our values.
6. We all have biases and prejudices.
7. Our values/biases show up in our interactions with people.
8. Discussing biases and prejudices is risky, because it is easy to be misunderstood.
9. There are no cultural absolutes, in terms of responses, only “right” or “wrong” responses within a given culture. Groups are not “better” or “worse”—but different.
10. Not every conflict involving people who are different is caused by a cultural problem.
11. We cannot know all things about all cultures.
12. We can increase our effectiveness as intercultural communicators and problem-solvers.
13. We can be more aware of what there is to be aware of regarding cultural differences.
14. Cultural conflict does not disappear because we decide to ignore it.
15. There is ambiguity in diversity. Tolerance for diversity, an open mind, hope, patience, and faith are important for improving our relations with others.
16. Intercultural relationship development comes through commitment, not accident.

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“Culture” and the Mediator’s Baggage

Shadell Permanand

Imagine that, as a practitioner, you carry around a heavy suitcase. This suitcase is full of your values, beliefs, assumptions and the “cultures” in which you participate. This suitcase travels with you wherever you go. You must learn to live with this baggage and learn how to minimize the effect of its contents on the clients you serve.

As mediators it is increasingly important to be culturally competent in our practices. This includes being aware of the biases we bring into mediation and adopting flexibility and humbleness in the practice of mediation. Five important characteristics of being culturally competent are: 1) self-awareness; 2) self-reflection; 3) awareness of power dynamics; 4) other-awareness; and 5) practicing curiosity before judgment.

“Culture is Life”

There are many definitions of culture. The understanding of culture that underlies this article is that culture is a way of life. Culture is all of the aspects of life in which we participate through our gender, race, ethnicity, geographic origin, ability (physical, mental, etc.), sexual orientation, education, class, language and so on. Some cultures that we are a part of are “fixed,” such as our ethnicity or gender; other cultures may change at various points in our life, such as class and education. Regardless, all of the “cultures” of which we are a part affect the way we approach mediation and the participants in a mediation process.

Self-Awareness and Self-Reflection are Key

One of the most important tenets of being a culturally competent mediator is self-awareness. It is critical that mediators/facilitators are aware of their own values and beliefs, especially when they surface in a mediation session. This is likely to happen when parties make comments or decisions that go against a mediator’s personal value system. What biases do you bring to the table? How might they affect the participants? Consider your views on the following:

- Gender roles.
- Child-raising practices.
- What “professional” means?

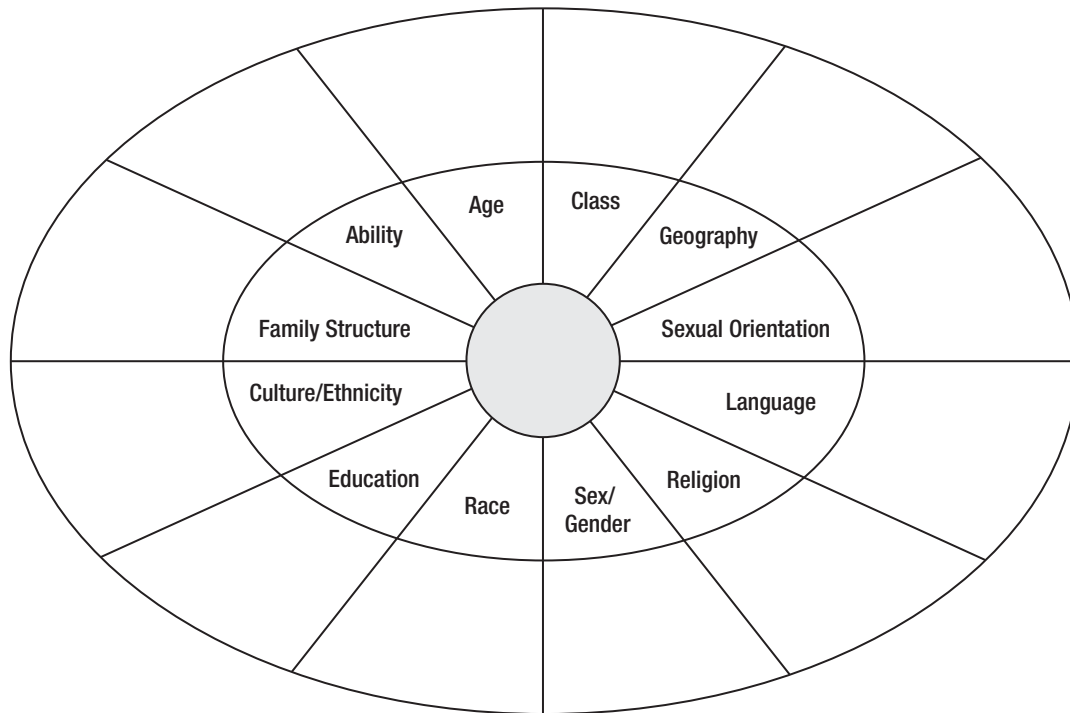
- What behavior is ethical?
- How employees should behave/be treated?
- How decisions should be made?
- The importance of education.
- Who deserves respect?
- How organizations should operate?
- How people should or should not argue?
- How people should dress?
- How conflicts should be resolved?
- What the conflict resolution process should look like?
- The role of emotions in conflict resolution (Beer and Stief 1998: 78).

Remember that the participants must live with their decisions long after the mediation process is completed. It is imperative that they come up with solutions that make sense for their cultural context, and not yours.

Do your values and beliefs have a place in the mediation? You cannot erase who you are to conduct a mediation process; however, you can hold your biases in check. For example, the more conscious a mediator is of what she is carrying around in her suitcase, the more effective she will be in identifying her biases and, out of respect for the participants, holding them aside during a mediation process. Beyond awareness, it is important for a mediator to reflect on her participation in different cultures and how this impacts her approach to mediation.

The “Power Flower” Identity Exercise

The chart on the following page is an adaptation of an exercise in Enid Lee’s *A Teacher’s Guide to Anti-Racist Education* (1992). Each segment of the diagram represents a different “culture” of which we are a part. The following exercise helps mediators to 1) reflect on the cultures to which they belong; 2) be aware of the privileges or barriers they might experience as a result of their membership in any one culture; and 3) reflect on the power dynamics at play and how these might impact participants (including the mediator) in a mediation session.



Who are you?

In the “petals” of the identity flower, fill in who you are. For example, under sex/gender I would write “female”; and under language I would write “English.”

Who do you perceive to be powerful in society?

Outside of each petal section of the identity flower, fill in who you consider to be the group that has traditionally been accorded dominant or privileged status in our society. For example, outside of the race section, I would write “white”; and the gender section “male.”

How does your privilege affect mediation participants?

1. Pick one section in which the group you belong to matches the dominant or privileged group you have identified.
2. Consider what privileges you may enjoy through your membership in this group.
3. Consider what impact those privileges might have on participants in a mediation who have traditionally been accorded less privilege in our society. (i.e., If you identified “university educated,” what impact might your associated privileges have on a less-educated mediation participant?) How will this affect your practice as a mediator?

How do your barriers affect mediation participants?

1. Pick one section in which the group you belong to has traditionally experienced barriers in our society (i.e., does not match the dominant or privileged group).
2. Consider what barriers you may experience as a result of being a member of that group.
3. Consider what impact those barriers might have on participants in a mediation who have traditionally been accorded privilege in our society. (i.e., If you identified “female,” what impact might the associated societal barriers have on male mediation participants?) How will this affect your practice as a mediator?

Being Aware of the Other

The “Power Flower” identity exercise assists mediators not only in being self-aware, but also in being other-aware. The more in tune we are with ourselves, in order to address the needs of the other; the more able we are to focus on the other in a meaningful way. It also helps us to avoid making assumptions about others, specifically participants in a mediation.

The Golden Rule for Mediators: Never Make Assumptions

At my workplace, we service an extremely diverse community in which one hundred languages are spoken within a four-block radius. This has affected the way we provide our services in terms of our flexibility with the mediation model and recruitment of a diverse pool of mediators. Currently, my organization can offer mediation services in 25 languages. The diversity in the organization has led to many excellent learnings, the most important of which is not to make assumptions about any one group or culture.

A few years ago, Maria from culture “x” contacted our organization about a conflict she was having with her adult daughter. It was clear that English was a second language. During my intake with her, I asked her if it might be helpful to have one of the mediators (we practice co-mediation) who speaks her language. She replied, “I’ve lived in this country for 15 years and I don’t need anyone there to speak my language. I want English-speaking mediators.” Later that same month, another woman from the same ethno-cultural group contacted me about a neighbor-to-neighbor conflict in which she was involved. When I asked her if it would be helpful to have a mediator there who speaks her language, she replied, “Oh, yes. When I get emotional I tend to speak in my mother tongue. It will make the environment more comfortable for me to have someone there who understands my language.” So, two women from the same culture had totally different interests and needs in terms of the co-mediation team. The most important thing for the mediator to do is to address the needs and concerns of mediation participants as best as she or he can, but not to make assumptions about what is needed. Mediators need to ask questions to ensure they are meeting the participants’ needs.

Practicing Curiosity before Judgment

Questions can be a form of curiosity. Make sure there is a healthy portion of curiosity in your baggage. This is a critical characteristic of a transformative mediation philosophy. When those judgmental feelings arise, our internal mediator voice tells us, “Be curious.” Following through with being curious saves us from our judgmental tendencies. This not only requires self-awareness, practice and discipline, but it also requires awareness of the other. This means observing how all participants are responding to the mediator, the process and to each other.

Instead of seeing a participant as “un-cooperative,” “difficult” or “stubborn,” practice being curious. Ask yourself, “Why is this person acting in this way? Is the process unsafe for the participant? Is he feeling powerless? Does he lack trust in me as a mediator?” Asking “why” encourages the mediator to consider the underlying reasons for the behavior. If you can unearth the underlying interests, you have a greater chance of addressing the concerns and moving along constructively with the mediation.

As a mediator, be particularly conscious of cultural, racial, gender and generational differences. How will this affect the way you approach the mediation? Will you dress differently (i.e., casual vs. dressed up)? Will it impact your mediation team’s linguistic make-up (i.e., one English-speaking mediator and one Spanish-speaking mediator)? Will it mean modifying the process to meet the needs of the participants (i.e., elders will have the final say when it comes to the memorandum of understanding)? The most important thing you can do as a mediator is to attend to and address the needs of the mediation participants. This may mean identifying and suspending your biases.

Suspension of Bias

Another illuminating case involved a mediation between two women, Sita and Shirley, from the same culture who were having a conflict with one another. One of the mediators, Artie, was from the same ethno-cultural group, and the second mediator, Rachel, was from another culture. During the course of the mediation, the participants were getting quite heated with each other. At one point, Sita reached over and pushed/touched the hand of Shirley. Rachel was ready to intervene, but she first checked in with Artie who silently indicated that Rachel should let it go. In the end, the case was successfully resolved and during the debriefing process between the mediators, Artie indicated that if Rachel had intervened when the touching occurred, the mediation might have broken down. For these participants, the touch was culturally appropriate and an intervention might have affected the flow of the mediation or left one of the participants feeling chastised. This was an important learning experience for Rachel in her practice as a mediator.

What she was experiencing was her mediator baggage interfering with the mediation process. Rachel’s understanding from her culture was that it is not appropriate to touch someone with whom you are in conflict. To her this would have been experienced as threaten-

ing. Had her co-mediator not had some understanding of the culture they were working with, the results of the mediation may not have been as successful. Co-mediation is one way you can begin bridging the cultural divide that is sometimes present in the mediation process.

Conclusion

As a mediator, be aware of the suitcase of values, beliefs and biases that you carry around. Do your best to minimize the potential negative effects your baggage may have on mediation participants. You will be able to do this more effectively when you practice the following: 1) self awareness; 2) self-reflection; 3) awareness of power dynamics; 4) other-awareness; and 5) practicing curiosity before judgment.

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Reflections on the Basics of Intercultural Leadership

Roberto Chené

As a teacher and trainer in the practice of intercultural leadership, I have come to understand over the years that leadership initiatives or models that are not explicitly intercultural are seriously limited. They do not fully embrace the challenge of living in a society that is culturally diverse and has only recently begun to seriously acknowledge that fact. To lead social change in the new millennium, we are in desperate need of leadership models that are inherently intercultural in their understanding and boldly creative in their implementation. Intercultural leadership is rooted in the profound awareness that human reality is culturally diverse. We are in it and affected by it whether we choose to be or not. Racial, ethnic, gender, religious, sexual preference and other likely unlimited diverse characteristics constitute the world and universe in which we live.

A tremendous amount of work has been and is being done in the area of diversity. I think, however, that there is much that is yet to be attempted. I consider this a new field of study and practice.

New Curriculum for Society

To deepen our understanding and focus on leadership, we have to acknowledge that our society has institutionalized chronic conflict among people who are different. The conflict is so pervasive and the need to address it so urgent that I think leadership must be intercultural. To keep society focused on the urgent need to deepen our problem-solving skills, we do not have time for leadership that is not intercultural. To live in diversity, we have to move up the learning curve as quickly as possible—or we may be outstripped by the interracial, interethnic and inter-difference conflicts that have been institutionalized in social policy as well as at the personal level.

I find that organizational leaders and their staffs are often poorly prepared to address these institutionalized, intercultural conflicts, and lack the knowledge, ability, and skills to approach the problem with understanding and leadership. We continue to treat the issue of intercultural differences, by and large, as an “add on” or an

afterthought, often spurred by some federal or legal constraint, or by a conflict that reminds us, “Oh yes, diversity.”

We need a model of problem-solving that begins with the premise that reconciling differences is the problem to be solved and we “add on” the rest as energy and resources allow. The extent, depth and the violent outcome of the problem require a shift in our approach as quickly as possible. We need to reframe our problem-solving paradigm so that it is exactly the opposite of the current approach—the curriculum for our society, not an addition to it.

I believe each of us is immersed in the relationship dynamics of difference and that when we act as if we are not, the result is some degree of conflict. If the conflict is creative and we are open, we learn from the difference. If the conflict is raw and hurtful, we retreat to avoidance of difference. The resultant polarization fuels the hopelessness that so many people feel today about ever bridging our differences, whatever they may be. We attempt to overcome the hopelessness by intensifying the rhetoric of change, reasserting our commitment to a new order, or placing our hopes once again in our youth. All this while we fail to acknowledge the reality that youth are excluded from the center of our adult communities. The hopelessness needs to be overcome by accessing hope in the context of viable and trusting recreated intercultural relationships. This includes the recreation of adult-youth relationships.

Beyond Celebration of Differences

So how do we define this problem, and where do we need to start to begin to solve it in the new millennium? Do we have the leadership capacity to take it on?

To restate, we have only one problem: Our society and the world have historically used dominance and the exercise of power and privilege as the primary strategy for reconciling differences. We are all aware of slavery, the multiple colonizations of the U.S. Southwest, the chronic conflicts in Ireland and the Middle East, the effect of the Americanization process on people of color—to name a few. The exercise of power and priv-

ilege is a totally flawed methodology, does not—of course—really reconcile anything, and sets in motion conditions for endless conflict. This approach to reconciling differences between human beings is dysfunctional, and, in my view, antithetical to the mutually trusting nature of healthy human relationships. Its inherently violent nature has not prevented it from continuing to be the primary strategy for working out differences—however benign it appears at times, and however creative the rhetoric used to design new forms of dominance. As one immersed in the field of intercultural leadership, diversity, and multiculturalism, I have learned that there are unlimited levels of co-optation, including the use of words like diversity, multiculturalism, and intercultural leadership, that can create the illusion that we are actually addressing the issue of dominance. A common form of denial is to equate diversity with celebration or the model that asserts that we all have a culture, as if cultural assimilation is not, in practice, a cover for cultural dominance. No, when we have institutionalized racism and sexism, celebration will not make a dent. We have a conflict that needs to be unraveled and healed.

The perspective I am articulating can feel big and, to some people, quite hopeless. I have no illusions that the world is going to come around on this issue anytime soon. But for the sake of realistic problem-solving and analysis, let us at least acknowledge that dominance is at the heart of the problems we are trying to solve.

Simply put, we are not in conflict because of our racial, ethnic, gender, religious, linguistic and other differences. Conflicts related to those differences are real but minor. We are in conflict because these differences are structured into relationships based on dominance. Dominance is the root of the conflict, not the differences. The differences between us could be worked out rather easily without the dominance-subordination structure and conditioning in which they are imbedded.

Dominant and Subordinate Relationships

I have learned from my experience that there are some very predictable behaviors related to dominant/subordinate patterns. If, for example, one understands the legacy of dominance in any relationship, and the dynamics of white privilege in particular, one knows that conflict is inherent in any diverse situation. In interracial situations, for example, because of the nature of exclusion, people of color come to a situation expecting some conflict and discomfort in the process of building trust. White people come to the situation

expecting harmony and are shocked or offended if conflict and discomfort arises. Conflict seems to be avoided if people of color simply remain polite and do not speak from their reality or identity. In other words, diversity is often popular until the moment the actual differences become explicit. As people of color, we have learned to choose how much conflict or discomfort we want to elicit or have the energy to manage. When the subordinated side pushes for inclusion, the included side, in knee-jerk fashion, quickly falls into defensive patterns that cause dominants to feel that whites are the real victims.

In such interracial situations, as a rule—rather than admit to discomfort—whites fall into silence or pretense. People of color pick this up, and either their anger or their frustration arises. In any case, it does not take much for the mutual discomfort level to escalate; at that moment, we are already in conflict. People of color have learned to assess if whites are sophisticated enough to handle the tension without reverting to silence or victim behavior. Beyond the harmony expectation, whites also are wondering if they are going to be attacked, or if anger from people of color will overtake the agenda. The common outcome of these dynamics is mutual flight. To some degree, people of color stay and whites leave, or whites stay and people of color do not return to the next meeting, leaving whites to wonder why their recruitment efforts are not working.

Another scenario is to get a mediator or intercultural facilitator and work it out. The best outcome occurs when the conflict becomes transformed into knowledge and everyone's capacity to relate interracially is enhanced. Too often, however, the encounter feels too hurtful to participants, and they desperately hang in until the project or whatever brought them together is over, and then swear never to come back. What is needed at this point, of course, is healing and perspective as well as understanding. We meant so well and tried so hard. What happened?

Time Oppression

In a speeded-up, over-stressed society, healing and understanding take time that most people feel they do not have. What I personally think of as “time oppression,” in combination with lack of inter-difference relationship capacity and leadership, has us locked into waves of incredible efforts to change accompanied by backsliding into various degrees of polarization. When you add time pressure and the conditioned reaction to it, the scenario I describe remains unresolved.

The dominance implications are that white participants will leave wondering why their world should be subject to be shaken and lamenting how the current emphasis on diversity is the real cause of the conflict. (This mindset did not exist prior to the civil rights movement.) In the southwestern United States, where I am from, people of color will leave convinced that it is impossible ever to bridge the generations of violence and exclusion that started with Columbus. For variations on these dynamics I could have just as easily drawn on youth-adult, women-men, gay-straight, or any other configuration. The point I want to make is that these dynamics are related to any dominant-subordinate structure. It's a "set up" for conflict.

Intercultural leaders understand intimately the institutional and personal dynamics of exclusion and oppression, understand intimately their socially assigned role as victim or as one who perpetuates exclusionary behavior, and have chosen to liberate themselves from that imposed assignment. They also choose to help lead the

way out of the mess we are in and have the capacity to articulate a vision that clarifies the problem we are trying to solve. To foster healing, it is imperative that we help people separate the institutionalized oppression from the variety that operates interpersonally. Intercultural leaders describe a path that we might take while, with cultivated self-awareness, acknowledging how they are taking responsibility for their own growth. Denial or pretense is out of place in intercultural leadership.

Our challenge as intercultural leaders is to get clear on how we are all affected by the umbrella of dominance so that, in the next millennium, we can facilitate the creation of mutually trusting relationships and institutions. If we hope to move to the height of what celebrating diversity should really be about, the journey is going to have to be intentionally and specifically led by people who wish to let the journey transform them.

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Theories of Gender, Conflict and Peacebuilding

Lisa Schirch

There are several theories related to the development of differences between the sexes. One theory asserts that there are major biological and psychological differences between men and women. Another asserts that differences between men and women result from cultural socialization. The extremes of these two theories are outlined below, particularly as they relate to conflict, violence and peacebuilding.

While researchers have examined these theories, there is little that can be said to be “true” for all women and men. Beliefs about the roles and characteristics of men and women vary across cultures. The following survey is designed to raise the issues and beliefs often shared in cross-cultural conversations on these topics, and not to provide answers or facts.

Theory: Differences Between Men and Women Are Biological

Basic Beliefs

Biological and psychological differences exist between males and females that affect their approaches to conflict and peacebuilding.

Biological Fact	Conclusion
Females can bear children.	Females care more about children, relationships and life than do men.
Males cannot bear children.	Males are less concerned about children and life-giving.
Females experience the patterns of the menstrual cycle.	Females are closer to the rhythms of nature and more in touch with the environment.
Males tend to be physically larger and stronger.	Males are better able than women to assert their power through physical force.

Some Implications

- Because of their physical strength, men are more likely to depend on the use of force to solve problems.
- Many women have needed to develop alternatives to violence (nonviolent action, negotiation and

peacebuilding) because of their relative lack of physical strength compared to men.

- Women are naturally more inclined to peacebuilding than men.
- Since men are more prone to violent conflict and war, women are often seen as more neutral than men in conflicts. Women’s neutrality may increase their ability to build peace.
- As primary caretakers of children, women may be seen as more legitimate conflict activists, since a mother’s concern for her children is seen to be natural. As a result, mothers may not be targeted with as much violent repression as other activists for raising conflict issues that concern their children.
- Women’s identities as mothers, sisters and daughters of men who fight and/or die in war may contribute to their ability to find common ground with women from different sides of conflict.

Theory: Differences Between Men and Women Are Sociological

Basic Beliefs

- “Gender” does not necessarily refer to biological sex, but to culturally learned characteristics. A person’s gender may or may not be the same as their biological sex.
- Boys are socialized to have “masculine” gender characteristics; girls are socialized to have “feminine” characteristics.
- Boys who have “feminine” characteristics and girls who have “masculine” characteristics are often punished or sanctioned by their community.
- Gender roles are constantly produced and reinforced by society.
- Men and women may learn and practice different ways of communicating, thinking and relating to other people if they are socialized in distinct gender cultures.

- Examples of stereotypical gender characteristics in North American society:

Masculine	Feminine
Aggressive	Passive
Competitive	Cooperative
Rational	Irrational/Emotional
Express power through violence	Express power through nonviolent communication and relationships
Independent	Dependent/Interdependent
Strong/Steady	Weak/Compassionate
Leaders	Submissive followers
Income earners/Family providers	Child rearers/Housekeepers

Some Implications

- Men and women may come into conflict with each other because of the different ways they communicate, learn and relate to others that develop from their distinct gender cultures.
- Men and women may approach conflict differently based on their gender cultures.
- In many cultures, masculinity is defined in part by the use of violence; males are encouraged to use violence because it makes them “men.”
- Women are discouraged from using violence because it decreases their femininity.
- Because they have grown up learning feminine skills and characteristics, such as empathy, compassion and communication, women may more easily develop related peacebuilding skills.
- Since women are socialized to find power through relationships with others rather than through power over others, they may be less threatening to others and less likely to use violence to solve problems.

Superiority and Power

No matter what theory one chooses to explain the origins of differences between the sexes, North American culture places greater value on men and “male” characteristics (assertiveness, independence, competitiveness,

rationality, etc.). This acceptance of male superiority leads to the construction of social structures that benefit men and discriminate against women. Men and women may come into conflict with each other because of the unequal access they have to power structures. Men are the leaders in most organizations, companies and nations; men own most of the world’s wealth and are paid more on average for their work than women. These basic power imbalances may lead to conflict between men and women in all areas of life.

This belief in the superiority of men and masculine characteristics leads to the prevalence of violence against women. In many cultures, 40 to 60 percent of women are victims of rape, domestic abuse and/or incest at least once in their lives. Public violence, such as crime and war, appears to be connected with incidents of domestic violence against women. The rape of women is now a frequent military strategy to humiliate and colonize the enemy. Militaries cultivate and war validates masculinity. Military language is gendered. It connects killing and winning to masculinity, and losing and/or nonviolence/negotiation to a loss of masculinity or to being feminine.

Questions for Discussion

1. Which approach—biological or sociological—makes most sense to you? Why?
2. If gender differences are culturally constructed, are gender roles “sacred” or open to challenge from those who see the roles as oppressive?
3. If gender differences are based on biology, is violence to be expected as the normative response men have towards conflict?
4. Does concentrating on women’s strengths in peacebuilding perpetuate traditional sex role stereotypes?
5. What can peacebuilders do about the connection between masculinity and violence?
6. What can they do about the widespread plague of violence against women?
7. What role can peacebuilders play in breaking down the acceptance of male superiority and the resulting social structures?

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Conflict and Cultural Identities

Larry Dunn

I remember one of the first conflict resolution workshops I attended when I began this work 15 years ago. The facilitator drew a pyramid divided into sections by a series of horizontal lines. Each section identified different types of conflict issues—things people fight about—with “facts” at the top followed by “methods” and “goals.” With the issues arranged top-to-bottom from the simplest to the most difficult types to resolve, the section at the base of the triangle identified as non-negotiable such issues as “values,” “security” and “identity.”

At the time, that made a lot of sense and helped me as a new mediator. I learned to listen carefully for the way people in conflict often frame matters as worse than they really are, and to reframe many of those same issues (when at all possible) as more manageable.

It also helped me to understand that core principles and values, slowly developed over the course of a lifetime and even more slowly changed, were to be downplayed when at odds with one another and emphasized when held in common. However, my experience over the last couple of years has left me wondering if *any* issue can be said to be entirely non-negotiable as the diagram (and conflict resolution theory) suggests.

Why Identity?

Recent international, regional, community—even denominational—conflicts have shown the increasing importance of identity in a world where individuals and groups struggle for recognition. Cultural, racial, religious or gender differences are often a key factor in fueling hatred and, at times, violence. Prejudice and racism often ignite conflict where other factors (such as economic disparity) may already exist in an unjust but otherwise “tolerated” situation.

Identity conflict, says conflict resolution theorist and practitioner Jay Rothman (1997), arises from the heart and is therefore “about who we really are and what we care about most deeply” (p. xiii). For this reason, asserts Miroslav Volf (1997)—a theologian concerned with identity, conflict and reconciliation—“it might not be too much to claim that the future of our world will depend on how we deal with cultural identity and difference” (p. 216). The most difficult and challenging conflicts testify to its importance. Identity matters.

Changing Views of Culture and Identity

In the mid-1980s, culture (an important part of human identity) gained a lot of attention in the field of conflict resolution. As in other fields, our understanding of culture has changed over time (see chart). Early on, culture was largely viewed as a catalog of rules and practices that determined interaction among diplomats and business negotiators (column 1). We learned, for instance, appropriate cultural greeting rituals and the importance of attitudes toward time and disagreeing openly (or not). And, we were told in stereotypical fashion, *all* Japanese or *all* Mexicans follow the same customs in *all* situations, including conflict and negotiations.

As the field of conflict resolution began to take culture more seriously, it was increasingly recognized as a complex variable rich in symbolic meaning, capable of affecting both conflict processes and outcomes (column 2). As something that shaped human behavior from one setting to the next, both theorists and practitioners focused on overcoming culture-based *differences* between disputants.

When I first began my research in Labrador in 1995, I was interested in learning how cultural differences between Aboriginal groups and non-Aboriginal groups there made conflicts and their transformation more complex. Two years later, as a potential mediator, I sought to learn as much as possible about the cultural groups and their differences so I could become a more effective third party.

However, once I began talking to people, I soon saw a different “directionality” in the culture-conflict relationship that I had not considered before. Culture was not only affecting conflict; conflicts also seemed to be having an impact on the cultures and cultural identities of people in Labrador (column 3).

Negotiating Identities?

In Labrador, persons taking the “wrong” position on an issue could be accused of not being a “real” Indian or a “real” Labradorian. Others either minimized or promoted certain cultural characteristics (e.g., ancestry) and practices (e.g., language) in order to gain advan-

Culture, Identity and Conflict Resolution Theory

Descriptive	Symbolic	Constructed
Culture as a static catalog of rules and practices (focuses on the “content” of culture).	Culture as structure (focuses on how culture shapes behavior).	Culture as socially produced and transformed (focuses on how culture emerges and is put to use).
Culture expressed in forms of human behavior.	Culture provides a blueprint for human thought and action.	
Homogeneous.	Culture—Human action.	Human—Culture action.
Implications for Conflict Resolution		
Follow etiquette and customs. May or may not impact process below the surface.	Treated as a variable capable of affecting conflict processes and substantive outcomes.	Conflict (and conflict behavior) shapes and reshapes culture (and cultural identities).
Knowledge of culture determines diplomatic and negotiation protocol.	Overcoming cultural differences as obstacles to settlement.	Focus on processes capable of transforming conflict behavior (and sense of self).

tage over others. For example, a person making a racist comment about Inuits one day to gain leverage in a dispute might be seen obtaining a benefit as a member of the Inuit Association the next.

People talked to me about the ways their sense of self had changed over the years, often as the result of conflict. They spoke of how their lives might be changed as a result of present conflicts or future decisions about them. I saw how the outcome of one conflict clearly influenced the ways in which individuals and groups chose to deal with the next conflict. And, over a longer period of time, I could see how this changing conflict behavior was beginning to transform cultural practices, understandings and even the groups themselves.

I began to wonder: If cultures and identities changed as the result of past processes (such as colonization), could they also be changed through present conflict transformation processes (protest, negotiation)? At the root of this question was another I had learned not to ask before: Are cultures and identities negotiable? What I observed and experienced suggests that they could be.

Identity and Land

At the heart of my observations is the issue of land, a key aspect of cultural identity and an important issue in identity-based conflicts around the world, from the Mideast to Europe to the Americas. For Palestinians and Israelis, Native Americans and other indigenous peoples, cultural identity is not merely shaped by a person’s relationship to the land but equated with the land. Contrary to what conflict resolution theory tells us,

land does not simply *satisfy* individual and group identity needs: land is identity. People for whom this is true are profoundly aware of the ways that land issues impact their sense of self.

For example, the Labrador Innu are trying to negotiate a deal over a proposed nickel mine on their land. Dependent on the caribou and other wildlife freely roaming the snow-covered land eight months of the year, the Innu are concerned about the potential impacts of such a huge development project on their traditional hunting and fishing activities, which have been a central part of their culture and identity for thousands of years. As they experience conflict and negotiate over these issues, the main question they are asking is not “What will we get?” but “Who will we become?” Underneath that lies a more ominous question emerging from an awareness of genocide elsewhere: “*Will we be?*”

To complicate matters, as part of ongoing treaty negotiations, the Innu are attempting to settle the amount of land that they will ultimately control. Many Innu believe that accepting anything less than their full land claim is a recipe for cultural extinction. Inseparable from the land being discussed, Innu cultural identity is literally “brought to the table” for negotiation. What makes resolving this conflict even more difficult is the fact that in Labrador the land is also a major part of Inuit, Métis and Settler identity.

Practice Meets (and Challenges) Theory

It is widely accepted in the field of conflict resolution that identity-based conflicts are prone to escalation,

resistant to resolution and altogether non-negotiable. As we have seen in Kosovo, Northern Ireland and elsewhere, the first two characteristics are no doubt true. But what about the third claim of non-negotiability?

Take a typical dispute between neighbors. If one insists on building a fence to keep the other's dog out of her yard, our knowledge of classic positions and interests tells us that perhaps a leash will work just as well for meeting everyone's needs. The need for security can be met without any impact on her identity as a resident of the neighborhood. However, if an imposed or negotiated agreement includes building a fence, the resulting change in communication patterns, borrowing habits and other aspects of her relationship with her neighbors would almost certainly and immediately impact her image and actions as a "neighbor."

"Yes," conventional conflict resolution theorists might concede, "as land is negotiated, individual and group identities are affected, albeit indirectly. But land merely satisfies the basic human need for identity. It is a means for providing identity, not identity itself. And while land may be negotiable, identity is not."

In some instances it may be true that one thing will "satisfy" an identity need just as much as something else, especially when both contribute equally to our overall sense of self. But identities are not the same as interests. Certain characteristics (such as gender) and practices are central to who we are. We might ask, for example, what exactly is required for a farmer to maintain his or her identity as a farmer? Is a farmer still a farmer without a tractor? Crops? Land? Conversely, merely having such things does not make one a farmer.

Since the boundaries of our self are constantly shifting (this process is especially intense for some rapidly changing cultural groups, immigrants, refugees and people experiencing war), identifying what is at the core of our identities can be difficult. And since the make-up of our identities is a complex mixture of many different factors, it can be difficult to know how a change in one will affect the whole of our self. Whether something makes an impact on our identity "directly" or "indirectly" can be beside the point.

Perhaps it would help to think of so-called "non-negotiable" issues as being more like positions than interests. This is especially true when an identity need is met primarily (or, in some cases, only) with one "satisfier" (that is, "only this land will allow us to be who we are"). As with classic positions, interveners can attempt the difficult task of searching for alternatives to meet an identity need while remembering that such

needs are resistant to resolution, prone to escalation when threatened, and potentially transformed by conflict *and our remedies to it*—including negotiation.

Returning again to Labrador, I participated in one First Nation's negotiations with federal and provincial governments. I observed and interacted with Aboriginal leaders who were directly negotiating aspects of their cultural identity—issues related to land, language and cultural practices. For those groups, the theoretical distinction between a "need" such as identity and a "satisfier" would simply not make sense. How useful then is such a distinction in practice?

Implications for Transformation

This complex foray into the world of conflict resolution theory must now be brought back a bit closer to the ground. I will suggest some of the practical implications for all of this in a more general way.

As I noted above, how we view culture and identity influences the consideration we give them as factors in conflict situations. If we think of cultures and identities as unchanging, then we will almost certainly not think of them as negotiable. Neither will we view them as a fruitful or even necessary part of conflict transformation. Understandably, some still feel that delving into the complex morass of cultural and identity aspects of a conflict is a dead-end venture down a one-way street. However, I suggest that in spite of any intent to avoid going down that road, much of what the best practitioners already do enables disputants to understand the complex personhood of their adversary and gain insight into how their own identity is inextricably intertwined with the other, if only through the conflict they share.

Identity needs must be acknowledged and addressed if we are to make a difference in conflicts involving such issues as race, gender, sexual orientation, culture and religion. The important difference between identity needs and classic interests supports the idea that identity-based conflicts are a distinct form of conflict and require a special approach to transforming them. That understanding is perhaps why some keep searching for the Holy Grail of interventions in identity-based conflicts. I'm not yet convinced such an approach exists apart from the best practices used in other complex conflicts that seek to address the full range of needs of those involved while empowering them to pursue personal and systemic transformation and change.

As interveners in identity-based conflicts, we need to be intentional about creating opportunities for peo-

ple to actively participate in negotiating the emergence of a new, shared identity that recognizes our increasing interdependence. The risks involved in doing so are great, especially for those whose identities are threatened or are in danger of being “negotiated away.” But the risks of not doing so are even greater as the conflicts of the past millennium become those of the new millennium.

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Effective Intercultural Facilitation: A Critical Need

Roberto Chené

I think our society is in crisis. The seemingly daily escalation of multiple polarizations, the ever-increasing gap between rich and poor, the ascendancy of corporations to the detriment of human community and welfare, and the expanding environmental exploitation constitutes, in my view, a critically urgent need for more effective intercultural dialogue strategies and opportunities than are currently available.

Having been deeply involved in peacemaking, conflict resolution, facilitation, and dialogue for many years, I am motivated to address the great need for more competency in intercultural facilitation. We need to improve our ability to eliminate or minimize the chronic communication gap that defines the status quo in the attempt of people of color and white people to sustain a conversation with each other. The eventual resolution of major political and societal problems may hinge on our ability to engage in substantive intercultural dialogue and collaboration. Without specific, intentional and informed intercultural facilitation practice, I don't believe interracial dialogue can advance to the depth the times require. The racism in our system is too pervasive; mutual fears and rage are too conditioned. Good intentions and platitudes about racial harmony are totally inadequate. What we need is skilled intercultural leadership that includes the ability to practice intercultural facilitation.

I am particularly interested in the intercultural communication gap because I've noticed that, as a whole, the field of conflict resolution systematically avoids confronting this particular point of tension.

My purpose in this brief article is three-fold:

1. I want to add my voice to that of others who work in the field to alert people that there is a basic and urgent need to enhance the conversation between races in our society.
2. I want to engender interest in the very concept of intercultural facilitation in the hopes of promoting the development of competency in the practice of this approach.
3. I want to share some insight from my practice of intercultural facilitation that may contribute to the understanding and definition of the practice and art of this approach.

Although not always the case, it is very common that multicultural or multiracial groups can quickly become conflicted. Such groups have a high potential for conflict simply because the conflict between races and ethnicities in the United States is historical, institutionalized and deeply internalized. It can take very little to trigger the latent conflict inherent in racially diverse groups or settings. Endless conflict or fear of potential conflict is part of the price society pays for having institutionalized racism.

A few years ago I was asked to present a workshop on intercultural leadership at a multicultural conference. At one point I was pressed into service by the conference organizer to help resolve a conflict that had heated up in one of the other sessions. The morning session had become so polarized between the participants and the facilitators of the workshop that the facilitators felt very reluctant about returning for their afternoon session. The group's anger and frustration had turned on them. What's more, the facilitators were confused about why tensions had increased among the participants and they were not clear why—in this case, participants of color were very angry and frustrated with the facilitators. Everyone seemed to be communicating a strong expectation that the facilitators should be responsible to get things back on a good track. The participants in this workshop were a more or less balanced mixture of white people and people of color. In general, the people of color were very vocal about their frustration and the white people were silent, trying not to make things worse or become the targets of frustration. The facilitator team consisted of two white people and one person of color. The situation can be described as one of those worst-case scenarios that many people dread, a culturally mixed situation that turns volatile and feels unsafe. This is actually a very common picture of what many people envision when they hear the word "diversity." This image for some is based on actual experience, hearsay horror stories, unfounded fears fueled by media stereotyping and racial bias, and/or many other countless possibilities.

The situation in which I was asked to intervene is a good example of not only a situation that many people

as participants would want to avoid, it is also a good example of a situation that many *facilitators* would want to avoid. There are, however, people who have a great tolerance for the discomfort generated by volatile situations. Still, I think there are many more who find such situations so uncomfortable, even painful, that they will avoid them at all costs—or having been part of such a situation, will vow never to return.

Reflection

In a multicultural group, the role of an intercultural facilitator is first and foremost to intentionally nourish a sense of intercultural community or a sense of mutual connection. The emphasis in the mind of the facilitator is on valuing the balance between relationship building and task. In the case of the above scenario, the content of the workshop had elicited deep, painful feelings and issues to which some participants needed to speak. Each time a hand went up for a request to speak, the facilitators—out of fear of conflict and the need to follow the structured agenda—said, “We’ll get back to that later in the agenda if it fits.” Each rebuff by the facilitators intensified the frustration from the participants. Eventually, several of the participants erupted into anger and, as I found out later, felt that the facilitators were more interested in the agenda than the needs of the group. The group felt dominated by the agenda. The facilitators were perceived as the agents of a “white agenda,” an agenda focused on task that left no room for human connection, an agenda that cut off traditionally excluded voices. Intercultural facilitation requires that the task and relationship building share equal value. As the people of color got angrier, the white participants for the most part fell silent and the facilitators were at a loss. Eventually no one knew what to do. The workshop broke for lunch but everyone dreaded having to return after the break.

It is important to understand that in this scenario none of what happened was intentional; it was inadvertent on the part of the facilitators. What was problematic was that the facilitators had learned a dominant cultural approach to facilitation that did not fit the diversity of the situation they were in. Such an agenda is usually overly structured, with an emphasis on task and not enough time for relationship building. They did not understand that by definition, when one increases the cultural mix, the potential for conflict automatically increases.

In such a situation, the facilitator uses every technique at his or her disposal to nourish the sense of mutual connection. One-at-a-time participation strategies and flexibility with regard to the agenda and time frame can forestall the outbreak of conflict. As diversity increases, the participation of every voice becomes a critical factor. The facilitator must be extra vigilant to ensure that every voice is heard.

Effective intercultural facilitation is a challenge and requires work and self-knowledge from those who practice it. White people who do intercultural facilitation must be articulate on their own whiteness and privilege. They should be in the process of liberating themselves from their “assigned” white role. People of color who do intercultural facilitation should be in the process of liberating themselves from their anger and their “assigned” victim status.

Ultimately, the challenge of practicing intercultural facilitation means that we do not avoid the tensions and conflict that are inherent in intercultural dialogue. If we are to sustain effective intercultural conversation we need to embrace the inevitable conflict with creativity and tools that enable us to carry the dialogue to completion; collaboratively we can solve critical problems. The time, I think, is very short.

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Contemporary Values and Practices of Original Americans

Diane LeResche

The romantic images some people have of Original Americans as being very peaceful among themselves and warlike with others needs to be replaced with a contemporary realistic view. The 545 federally acknowledged tribes of approximately two million Original Americans have various types and combinations of tribal courts and traditional peacemaking forums and vary in the degree to which they walk a traditional path or a mainstream American path. Nevertheless, there are some general tendencies among Original Americans when it comes to defining the type of justice and, therefore, the peacemaking procedure that feels, and is, Native American, Alaska Native and Native Hawaiian.

Tribal courts do not totally reflect traditional ways. The courts keep the focus on the intellectual level, rather than on the spiritual, the heart, and relationship building. They concentrate on distributive justice (the equitable distribution of resources) and wild and rough justice (revenge, punishment, control, and determining who is right). The court process for handling conflicts separates people; it increases distances.

Sacred Justice

Among themselves, Original Americans are generally not as concerned with distributive justice or rough and wild justice as they are with what I term sacred justice. Sacred justice is indigenous justice. Sacred justice is concerned with mending broken relationships: relationships among people, with other animate and inanimate beings, and with the higher spirits. It means that the underlying causes of a disagreement have been addressed. It delivers healing solutions, ones that cleanse and fortify those on all sides of the problem. Sacred justice helps people reconnect with the higher spirits; seeing the conflict in perspective to the higher purposes.

What is Traditional Peacemaking?

We know that there is no “Native American way” to make peace. Each tribe has its own methods, but there are some common features among Native Americans.

At its core, “traditional peacemaking” (TPM) is inherently spiritual: it speaks to the connectedness of all things; unity; harmony; the balance between the spiritual, intellectual, emotional and physical dimensions of a community of people.

TPM is viewed and used as a “guiding process” to assist people in their journey back into harmony with one another and all aspects of the universe. Peacemaking is directed at healing hurts and wounds. It includes the widest circle of people concerned, each having a voice.

Unlike mediation, TPM is relationship-centered, not agreement-centered. It is giving advice, reminding people of their responsibilities to one another. A traditional peacemaker, peace chief, law mender or council of elders has the respect and trust of tribal members based on an exemplary life. The peacemaker is not someone with school-based or workshop-based training in conflict resolution skills. Peacemakers have learned by observation and listening in natural settings throughout their lives. Traditional forums are more a guiding court than a punishment court. The peacemakers often give advice to each concerned person about living up to their responsibilities to family and community; facilitate circle talk; ask for apologies; or request that restitution be made, relatively small fines be paid, and community service be performed, often to help the elderly. They want everyone to leave with their tails up, not as in courts where one person leaves with a tail up, one with a tail down. They tell traditional tribal stories that impart the expected behaviors and beliefs by which people should live. Spiritual leaders and healers may be consulted. The “third party” is actually considered to be the whole community.

The Exemplary and the Actual

While some tribes have kept their peacemaking ways vital, there are other tribes where the more traditional ways of helping people are, although still alive, not always well and not used by many tribal members. It is frequently acknowledged by tribal members that traditional ways of handling conflicts are preferable to the courts, resulting in solutions considered fair to all con-

cerned. Systematic nourishment of traditional methods, however, is not common.

A few Native communities have made modifications in their traditional peacemaking procedures by blending them with non-Native procedures. For example, they now have some restrictions on the amount of time taken to handle the conflict. Some tribes assign certain types of cases to TPM and other types to the tribal court.

Each TPM program has a different structure and different relationships to the institutions in its immediate and larger community. None are costly for anyone, and they tend to be relatively uncomplicated, simple procedures with a slow pace. Deep listening, thoughtful and respectful telling of stories, and looking for and accepting guidance are parts of each process as it seeks sacred justice.

A Revitalization Movement

Government-imposed and mainstream-adopted adversarial courts have been recognized as contributing to the weakening of Native communities. A thoughtful move towards developing comprehensive tribal justice systems (a system with courts, traditional peacemaking modified for the contemporary context, and violence-prevention programs) is occurring across these communities. It's been said that "we are learning again how to disagree without being disagreeable." There is evidence of a TPM revitalization movement.

As traditional peacemaking is being kept alive and/or revitalized today, the need for the use of courts is not gone. Today's Original Americans live in multiple worlds. They need to have an appropriate mixture of conflict resolution methods available to them, woven into a strong beautiful braid of the new and the old.

Original Americans are concerned about the spiritual, social, health, economic and cultural disintegration of their tribes. Tribal customs and beliefs must be protected and enhanced. The values and practices that are an integral part of peacemaking strengthen communities. Peacemakers perform a vital role in keeping tribes healthy; it is very important that tribal peacemaking be nurtured.

Summary

There is concern that traditional ways of handling serious disagreements are being replaced by the courts and that peacemaking is being lost with the passing of elders. There is also evidence that this concern is being dealt with by the creation of programs to institutionalize and legitimize sacred justice. Sacred justice is the Native concern for mending relationships among all

Justice: A Comparison

Generic Native American	Mainstream American
Relationship-centered	Agreement-centered
Follow the old ways	New, change is best
Cooperation	Competition
Communal "ownership"	Private property
Harmony with nature	Mastery over nature
Humility, anonymity	Win a prize, announce it
Submissive, accommodating	Aggressive, assertive
Share resources	Save resources for self
Time is always with us	Time is limited
Find Balance	Win as often as possible
Extended family, clan	Current nuclear family
Everything is interrelated	Categorize things
Success measured through giving, relationships	Success measured by material accumulation
Progress maintains traditions	Progress is change
Thinking based on wisdom	Logic based on strategy
Reasoning based on experience	Scientific explanations
Less formal, less structured	More formal, structured
Oral communication, teaching	Written forms
Verbal agreements	Written transactions
Acceptance based on age, experience, reputation	Acceptance based on education, social status
Group consensus	Individual, boss decides
Decision based on effects on future generations and on everyone	Decision based on immediate personal gain, and on offender
Trust honesty of statements, expressions of feelings	Use of facts, evidence, witnesses important
Nurture, support given to all, restore dignity	Degrees of punishment, restore goods
Peacemaking is healing, spiritual	Conflict resolution is problem-solving

beings. Many tribes today are actively working at revitalizing their customary laws and traditional peacemaking forums. Tribal members recognize that today they cannot walk a path that is strictly traditional, nor can they walk a path that totally ignores who they have been and who they are.

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Where Technique Ends and Real Life Begins—or “This Stuff Won’t Work Where I Come From”

Valerie Weaver-Zercher

You don’t understand—this stuff won’t work where I come from,” one of the young men says during a seminar I am leading on I-messages and other communication skills. Voices around the room chime in in agreement. “Maybe if I were from some nice neighborhood where everyone talked like that, it’d work. But if I started talking that way in my neighborhood, I’m telling you, it wouldn’t do any good. The only language people understand there is fists.”

I stutter around for awhile, trying to defend these techniques while letting them know that I know that as an upper-middle-class white woman, I don’t have any idea how tough it is to grow up in their streets. Inside I am kicking myself for even presuming to be able to teach them anything; these ideas are culturally foreign and probably inappropriate. I shouldn’t have even agreed to lead this workshop, I think. Why should they listen to me?

Then a young man in the front row speaks up, turning slightly to his peers. “You don’t have to use her words, like ‘I feel this’ and ‘when’ and ‘because’ and all that,” he says. “But you can still let people know what effect they’re having on you—especially people you really care about—by being honest about stuff and not acting all tough all the time.” He then proceeds to offer

an honest, “un-tough,” and self-possessed I-message—completely devoid of formula—for an example we had just been discussing.

A couple others nod their heads, and we all sit in silence for a moment. I smile gratefully and a little meekly at the man in the front row. He and I and everyone else know that his words have moved mountains that mine never could.

Our speech is laden with all that we have accumulated from our histories, families, churches, and neighborhoods. Recognizing that the very same words carry different and even opposite meanings for people of different cultures and backgrounds can move us toward an understanding of both the fragility and power of speech. Ultimately, the impact of our words will depend more on our sincere desire to communicate than on the speaking techniques we employ. Indeed, a deep and abiding hunger for holy, compassionate, and inspired communication is the first and last step toward speaking for ourselves, listening to others, and ultimately speaking and listening to the Word that formed us.

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Some Cultural Differences that Affect Conflict Expression

Michel Avery

Conflict expression can vary widely and can have opposite meanings as in the contrasting statements below. Dominant culture assumptions about expression can be misleading.

Expressing strong emotions	Strong feelings must be gotten out of the way first so negotiation can progress through calm, rational communication. Being objective and reasonable is associated with legitimacy.	Progress must be made in negotiation before participants can let go of intense expressions of emotion. Strong feelings are associated with legitimacy of a concern.
Trustworthiness of a third party	Impartiality is important, therefore someone who is a stranger to all parties is most likely to be trusted.	Caring and involvement are important, therefore someone familiar who is known and respected by all parties is most likely to be trusted.
Site of problem-solving	The conflict should be separated from outside influences, therefore a neutral location is best.	Problem-solving should take place in the context where the conflict occurred.
Getting to the point	It is important not to beat around the bush; identify and discuss the key issues in a conflict quickly.	It is rude to name problems too quickly; better to spend some time in casual interaction first.
Issue organization	Talk about one thing at a time.	Deal with several topics at once, or move back and forth between issues.
Saving face	Admitting that you have been wrong, or backing down, is unpleasant, but appropriate in some circumstances.	Losing face is completely unacceptable.
Structure of problem-solving	Conflict resolution works best when organization is formal. There should be clear roles, rules and demarcation of beginning, ending and the stages in between.	Conflict is best resolved in a climate of informality that resembles casual, social interaction.
Attribution of fault	When someone defends him or herself against an accusation, it is a sign of innocence; silence signifies guilt.	When someone defends him or herself against an accusation, it shows they are guilty; to ignore an accusation is a sign of innocence.
Threats	Threats represent a real intention to do harm. They are meant when they are said.	Threats represent a safe way to let off steam without doing real damage. They should not be taken literally.
Function of argument	Heated argument escalates conflict and interferes with finding solutions.	Heated argument is part of the truth-seeking process and helps resolve conflict.
Active listening	Nodding, saying “mm hmm,” etc., means, “I am paying attention to you.”	Nodding, saying “mm hmm,” etc., means, “I agree with what you are saying.”
Being silent while others discuss	Silence is neutral; it simply means someone is not ready to speak.	Silence represents agreement with what is being said. Or, not speaking when others exchange views is a refusal to help resolve the conflict and is obstructive.
Eye contact	It is natural and respectful to look directly at the person you are talking with. Looking away can signify evasion or deception.	It is natural and respectful to look away while talking with someone. Direct gaze can signify challenge or attack.
Questions	Questions indicate interest and genuine concern.	Questions are a form of attack; it is intrusive to require someone to explain themselves.

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Reflections on Conflict Across Cultures, Research and Training

Ron Claassen

Conflict and mediation in Fresno, Calif., most frequently involves people from more than one culture. Seventeen percent of the population is foreign born, and 78 percent of the students in Fresno's schools are of minority ethnic groups. In 1993, in an attempt to address conflict in this setting, I designed a training and research project funded and supported in part by Mennonite Conciliation Service.

The project provided a starting point for developing Conflict and Peacemaking Across Cultures, sponsored by the Office of Refugee Resettlement. The following is an overview of the original design along with a few reflections.

Design Overview

We began the project by inviting the participation of six cultural groups with, we hoped, six people in each. Space and time were limited; we thought six members would allow the groups to form quickly, yet be large enough to include significant diversity, even within a given cultural group. We ended up with six groups of two to six people. The participants were all volunteers.

The basic plan was to elicit from the participants their personal and traditional methods for addressing conflict, recognize differences that could cause misunderstanding, and work to develop appropriate methods for addressing conflict that crosses cultures.

We met on four consecutive Saturdays since that worked for most people. Participants were from the Hmong, Armenian, African American, Hispanic, German Mennonite, and Chinese communities in Fresno. Unless otherwise directed through the course of the day, participants were seated at tables with these designations.

Day One

After introductions and a general overview, our goal for the day was to encourage each person and group to look at their traditional ways of responding to conflict and to share those with others in the group. We invited

John Paul Lederach, who at that time was professor of conflict studies and sociology at Eastern Mennonite University, Harrisonburg, Va., to lead the group on this first day. I led the remaining sessions. John Paul discussed his elicitive training ideas with the participants and then invited them to think individually about their responses to a conflict. They shared these reflections with others in their subgroup. Later, one or two from each subgroup shared with the larger group.

The last and longest activity of the day started with the large group deciding on a conflict that could happen to anyone in the group. After working individually on how they would attempt to handle it, all subgroups were asked to select one story that represented their preferred methods. They shared the story with the large group by acting it out or, if they preferred, by describing how the conflict would be addressed. We spent the balance of the day listening, observing and reflecting on differences and similarities.

A few volunteers met to decide on several conflict situations that could happen in all groups to use for the remaining sessions. We did this to save time in the sessions.

Day Two

We had started Day One with an interpersonal conflict scenario between people from the same culture. On Day Two, we began crossing cultures. A scenario described a conflict between people from two different subgroups. Those two subgroups were then asked to meet as a committee to design an appropriate approach to respond to the conflict in ways that were respectful of the values and traditions of both the parties. We did five rounds like this so that each subgroup had the opportunity to be with each of the other subgroups. After every round, the committees reported back to the large group describing the plan they had developed and the places where they had discovered likely misunderstandings. We were not able to finish this on Day Two.

Day Three

On Day Three, we completed the agenda from Day Two. Then we selected a conflict scenario that might involve all subgroups.

We divided into committees that had representation from all subgroups. Each committee was given the task of finding a way of approaching the conflict that respected the traditions and values of all subgroups. They reported their recommended plan to the larger group, noting where there could likely be misunderstandings.

Our final activity of the day focused on the VORP Peacemaking ModelSM I had developed. We wanted to test the model to see if it could be followed in a way that respected all of the traditions and values of each subgroup.

We started this session by asking each person to think about a situation where something had happened to cause a relationship to be bad and later the relationship was good. They were then asked to write down what happened to make that transformation possible. After some individual time, each person shared his or her story with others in the subgroup. We then asked them to select one person from each subgroup to share his or her story with the larger group. Finally, we looked at our Peacemaking ModelSM and compared it to the stories.

Day Four

On the final day, our purpose was to revise any inaccuracies in the transcripts and draft report, and to reflect on the experience and how this group might serve the community. We hoped that what had been helpful for the participants could in turn be shared with others in their communities before and when conflicts arose.

Reflections

Subgroup members reported gaining significant new appreciation for members of the other subgroups, and insight into subtle cultural differences that can easily be overlooked and create new barriers. Several subgroups reflected on how much conflict there is within a subgroup between more recent arrivals and those who have been here longer. Subgroup members reported on how difficult it was to choose stories that they all felt were representative of their tradition. Many participants reported significant growth coming from the experience; such was certainly the case for me.

Our hope in recounting this event is that others may find the model helpful to use or adapt in their work. It seems specifically appropriate for those simply trying to understand conflict across cultures, as well as those wanting to develop a team of people to work with conflict that crosses cultures.

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Resources for Further Study on Conflict Transformation

compiled by Kristin Reimer

Augsburger, David W. *Conflict Mediation Across Cultures: Pathways and Patterns*. Louisville, KY: Westminster/John Knox Press, 1995.

Blends theory and stories from many cultures, inviting readers to “unlearn” their common sense about conflict and learn new perspectives from other cultures.

Bush, Robert A. Baruch, and Joseph P. Folger. *The Promise of Mediation: The Transformative Approach to Conflict*. Revised ed. San Francisco: Jossey-Bass, 2004.

Explores and promotes the transformative potential of mediation as it critiques the field of mediation today. Very worth reading.

Curle, Adam. *Tools for Transformation: A Personal Study*. Stroud, UK: Hawthorn Press, 1990.

A book about transforming ourselves and the world we live in by looking at psychology, physics, Buddhism and Quaker practice.

Fisher, Roger, and William Ury. *Getting to Yes: Negotiating Agreement Without Giving In*. 2nd ed. Boston: Houghton Mifflin, 1994.

The most popular small book on basic principles of win-win negotiation, using interest-based collaboration.

Herman, Judith. *Trauma and Recovery: The Aftermath of Violence—from Domestic Abuse to Political Terror*. 2nd ed. New York: Basic Books, 1997.

A classic in the field of psychology, offers an analysis of trauma and the process of healing.

Hocker, Joyce L., and William W. Wilmot. *Interpersonal Conflict*. 7th ed. Columbus, OH: McGraw-Hill Companies, 2005.

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A look at identity conflicts for both theorists and practitioners.

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CHAPTER 3
**Restorative
Justice**



Introduction to Chapter 3: Restorative Justice

I was recently asked to do a presentation for a group of board members at a non-profit organization on the topic of restorative justice. I was told that the term “restorative justice” would be new for most, if not all, of the members. The board meets for about three hours once a month and I surmised that three hours would at least give me time to present a framework and take questions. In a return phone call I was told that there would be other business to discuss and they could give me 30 minutes. I declined the invitation, believing that I would do more harm than good in that limited time frame.

It reminds me, however, of what I believe often happens when we try to find ways to solve a problem. We search for the quickest, and usually least expensive, fix. Restorative justice is no different. For many it is a quick fix for whatever the problem may be. If we initiate one program, then it’s seen as addressing what may in fact be a systemic problem. We can say we have implemented restorative justice, though we have not changed how we view the problem, how the problem came to be, or how it is situated within what may be an otherwise dysfunctional structure.

Restorative justice is a concept that has been articulated, at least for those with a Western worldview, within the past 30 years. It certainly doesn’t mean that restorative justice didn’t exist before then; we know that some of the processes used for dialogue within restorative justice are ones that have been used for generations in cultures around the world. Circles, for example, are a way of life for many indigenous cultures and play a significant role both symbolically and practically for the community as they address harms.

Our understanding of how to handle wrongdoing often revolves around three questions: What rules were broken? Who did it? What do they deserve? This tends to leave those who were harmed out of the process, focusing instead on the punishment of those who offended.

Howard Zehr (2002), in *The Little Book of Restorative Justice*, adds to those questions by asking the following six guiding questions:

Who has been hurt? What are their needs? Whose obligations are they? What are the causes? Who has a “stake” in this situation? What is the appropriate process to involve stakeholders in an effort to put things right? (P. 38)

In our work, we see that our understandings and practices need to be rooted in values that support relationship building. We believe that Jarem Sawatsky’s article on uncovering restorative values, included in this chapter, provides that underlying framework. We have used the following value statements to articulate how we can live and work together—not just when there has been harm—but as we seek to be in community:

1. All people should be treated with dignity and respect, recognizing that each person has some piece of the truth.
2. Each of us needs to be responsible for our actions and needs to be held accountable for those actions.
3. By our presence we are all members of communities and therefore connected to one another.
4. We recognize that forgiveness is a process that allows all people to walk at their own pace.
5. We provide opportunities for reconciliation as appropriate and as defined by those affected by the actions of others.

In this spirit we have great hope that the many restorative processes will continue to remind us that we are interdependent and interconnected.

Lorraine Stutzman Amstutz
Co-Director
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A Shared JustPeace Ethic: Uncovering Restorative Values

Jarem Sawatsky

Nothing will change in criminal justice until we change the basic assumptions underlying the system. We've tried changing the facilities by designing new prisons; we've tried changing the roles of prison guards to correction officers; we've tried changing the norms of how people relate. But the system has not changed. We have not yet changed the underlying assumptions of the system. That requires a change of values.

HOWARD ZEHR, 2001

Restorative justice is a value and principle-based movement recovering justice as a central concern of victims, offenders and the community. It is more than a new, more efficient technique. It is more than a way to fine-tune the criminal justice system. It is more than a new language for old approaches to criminal justice. Restorative justice is a new paradigm, arising out of the failures of the old paradigm. It is a different imagination. It offers an alternative to the basic assumptions underlying the modern state system.

Underneath the many diverse restorative justice processes is a shared—often unarticulated—set of values. Part of the reason restorative justice has spread so quickly is that these shared values are not new or unique. The values of restorative justice are strikingly different from the modern justice system but share much in common with many religious traditions, indigenous cultures and diverse fields of inquiry (conflict transformation, feminist social ethics, qualitative research and the environmental movement).

Restorative justice practitioners have been acting their way to a new way of thinking. What follows is a hindsight articulation of the values that seem to be guiding the work of justice and peace. Restorative values are best understood as being related in a web and linked to key partner values, rather than hierarchically related.

Interconnectedness and Particularity

Interconnectedness is a holistic view that all things are connected to each other in a web of relationships. JustPeace comes down to right relationship between all—people, land, structures, God. A harm/crime creates ripples of disruption in many relationships. Intercon-

nectedness confronts injustice (harms) with the goal of establishing a just connection.

Interconnectedness asks: Does the process include those in the web of relationships affected by the conflict (victims, offenders, communities) as well as consider the social, systemic, ecological, spiritual and personal implications?

Particularity values particular identity. Particularity recognizes that context, culture and time are all relevant matters of justice. Particularity says that we are not all the same. It is about respecting diversity and difference. JustPeace does not have a single source but comes from many communities.

Particularity asks: Is the intervention rooted in the contextual paradigm(s)?

Interconnectedness says that we are connected and that harms create responsibility to those affected (victims, community, family). Particularity adds that while we are connected we are not all the same. Justice must respect both our connections and our particularity.

Personal Care-Response and Generations

Personal Care-Response calls JustPeace to be oriented around human qualities of care rather than rules or a rights-response. It sees each person as inherently worthy of respect. It searches for responses to harms that care for real people and relationships, especially the victims, offenders and communities. This value sees crime as being not against the state but against people.

Care-Response asks: Does the intervention help parties to see each other as human and help them toward working out of care and respect for each other?

Generations is a relational value with a long-term time dimension. Generations looks both to the past and

to the future to determine the best way to relate to the present. It is interested in causes of harms, both personal and structural. It is also interested in how our response to harms today affects the generations of tomorrow (causes of response). This long-term relationship lens has to do with identity, grassroots, root causes, broken pasts and shared futures.

Generations asks: What happened seven generations ago that is causing problems today? What will be best for the children seven generations to come?

Personal Care-Response is a relational orientation that calls us to care for particular people. Generations, as a value, expands that orientation to care for the past and the future.

Transformation and Humility

When transformation is a value, the goal is not just to fine-tune a basically working system but rather to seek to radically change people, systems and dreams for the future. Encouraging change toward JustPeace is to move away from life-destroying ways of living toward life-nourishing ways of living.

Transformation asks: Does the intervention move toward deep transformation or is it cheap peace that denies true justice?

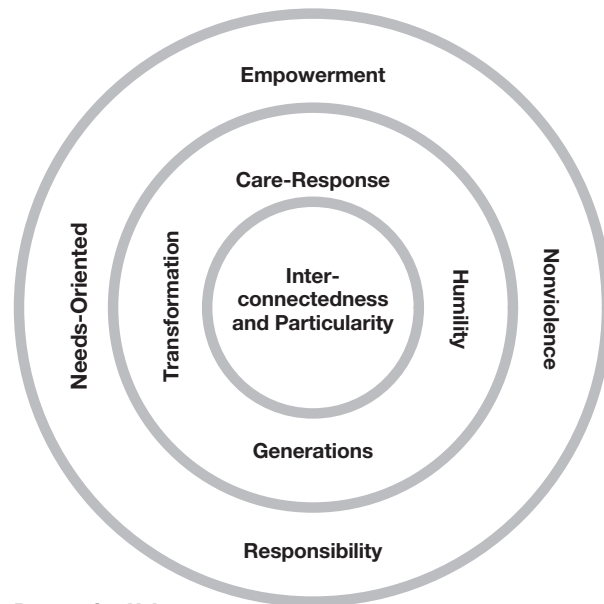
Humility is about being aware of our limits. It is about respecting others and having an appropriate level of self-doubt, not assuming that we know what others need. It lightens the spirit and creates the freedom to try, as the expectation is that we will not change everything. It values servant facilitative leadership over expert leadership.

Humility asks: What movements toward JustPeace could be harmed by this intervention? Does this intervention promise too much? How do participants view the conflict and their needs?

When transformation and humility are linked, change is sought through listening, empowerment and holistic vision.

Needs-Oriented and Nonviolence

For JustPeace to be a lived experience, it must be oriented toward meeting the needs of all parties. Self-defined needs of victims, offenders and communities must be central, not peripheral. Most conflict is rooted in unfulfilled needs. Justice is therefore about meeting needs. Justice processes and ends must be flexible in order to be needs-oriented.



Restorative Values

Needs-Oriented asks: Are the needs (rather than power) of all being considered?

JustPeace believes needs must be secured through nonviolent means. Nonviolence calls us to find nonviolent mechanisms for expressing and handling conflict. It favors cooperative methods (circles, conferencing) over adversarial ones (the courts). Doing harm to offenders is not nonviolence. Neither is the offense. Neither is the environment that created the conditions within which the offense took place. Needs-Oriented Nonviolence is concerned with all of these levels.

Nonviolence asks: Does this move the parties toward nonviolent ways of expressing and dealing with both the roots and incidents of conflict?

Empowerment and Responsibility

Empowerment recognizes that participants are not recipients of JustPeace but rather resources of JustPeace. Empowerment calls us to not impose solutions from the outside but to involve meaningful participation of all affected parties. Empowerment creates space for the inclusion, participation and voice of those affected by a conflict. Injustice robs people of power. JustPeace returns power.

Empowerment asks: Does the intervention strategy contribute to the ability of relatively powerless individuals or groups in a situation to participate and define the way toward JustPeace?

Responsibility recognizes that as one gains power he or she also gains responsibility to care for others. When interconnected relationships are harmed, through conflict or crime, the responsibility increases. Responsibility calls us to change justice systems from a culture that discourages offenders from taking responsibility to one that encourages them to take responsibility. Responsibility is about accountability to those affected by your decisions.

Responsibility asks: Are participants encouraged to take responsibility for past and current hurts? Are victims, offenders and communities given the opportunity to grow strong through taking responsibility for dealing with their conflicts?

Restorative justice is not a set of processes or techniques. As those involved in family group conferencing in New Zealand put it, restorative justice is a principled vessel into which the practitioners must find the right people, places and questions. Underneath the many principles of restorative justice lies the web of linked values. As we are aware of these values and find creative and culturally appropriate ways for the experience of these values; victims, offenders and communities will experience the transformation of justice.

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The Path to Justice: Retribution or Restoration?

Howard Zehr

Every day when I pick up my newspaper I read about crime—assaults, domestic violence, political bribes, corporate swindles and organized crime. Naturally, in the midst of what some consider a “crime wave,” proposals for the best way to deal with the problem have become a topic of social and political debate.

What strikes me as tragic in these debates is that the solutions being proposed are simply more of the same: bigger threats and more punishment. Few people, inside or outside government, ask more basic questions about whether punishment ought to be our main concern. Even fewer seem genuinely concerned about victims and what they need.

Meanwhile, prisons are massively crowded, the death penalty is back with a vengeance and the costs of the “criminal-justice system” to us taxpayers keep soaring.

A Faulty Definition of Crime

The fact that the present criminal-justice system ignores victims and focuses instead on more punishment for offenders is an important clue to understanding what is wrong with the system. Both of these problems arise from inadequate definitions of what constitutes crime and what justice entails.

Legally, the essence of the crime lies in breaking a law rather than the actual damage done to a person. The official victim is the state, not an individual. It is no accident, then, that victims and their needs are so often forgotten: they are not even part of the equation, not even part of the definition of the offense!

When a crime occurs, the state as victim decides what must be done, and the process of deciding focuses primarily on two questions: “Is the person guilty? If so, how much punishment does he or she deserve?” Our society’s definition of crime and justice, then, might be summarized like this:

Crime is a violation of the state and its laws.
Justice establishes blame . . .
and administers pain . . .
through a contest between offender and state.

This way of viewing crime might be called “retributive justice.” It has little place for victims, and uses what some scholars have called a “battle model” for settling things. Because it is centered so heavily on establishing blame, it looks primarily to the past rather than the future, and it assumes that punishment or pain, usually in the form of a prison term, is the normal outcome.

The Biblical Alternative: Restoration

But what is the alternative? How should we understand crime and justice? The Bible offers some suggestions. First, the Bible defines crime as broken relationships. When people live in right relationship to each other—materially, socially, spiritually—they experience shalom.

The essence of crime is that it upsets shalom, making right relationships impossible. Crime, in the biblical view, is a wound that needs healing. That is why restitution, making things right, is found so often there. In fact, the word for making things right is the root word for shalom.

While restoration was the ultimate goal of justice in the Bible, God’s people were not always open to that possibility. Clarence Jordan of the Koinonia community in Georgia has pointed out that in the Bible there is a kind of progression, an unfolding of understanding on this issue.

Genesis begins with a recognition that unlimited retaliation is a normal response to wrongdoing: the “law of Lamech,” it is called, and in Genesis it is graphically characterized as “seventy times seven” (Gen. 4:24)—retribution almost without end.

But very soon revenge is limited: an eye for an eye *only*, God tells the Israelites (Ex. 21:22). Rightly understood, this passage is not intended as a command to do vengeance, but as a limitation on vengeance: “Do this much, but only this much.”

Following that comes another limitation on retaliation: “Do not seek revenge or bear a grudge against one of your people, but love your neighbor as yourself” (Lev. 19:18).

Christ continues this direction. Love not only your neighbor but your enemy, he says; do good to those

who harm you. Instead of unlimited retaliation or even limited retaliation, he calls for unlimited love (Matt. 5:38-48), and it is no accident that he graphically calls for forgiveness to seventy times seven (Matt. 18:22).

Second, an important clue to Old Testament justice is found in how God responds to wrongdoing. When confronted by sin, God is described as angry, full of wrath, with words that connote heat and heavy breathing; like crime victims, God is understood to be angry (e.g., Gen. 6:6).

But the real story is that in spite of Israel's wrongdoing, and in spite of the resulting anger, God never gives up. God expresses anger in the face of wrongdoing but does not remain there: God moves through wrath to restoration, as in Gen. 8:21 after the flood. Restoration, not retribution, is the thrust of biblical justice.

Christ's focus on forgiveness, restoration and reconciliation rather than retribution is thus quite logical, and not a rejection of the overall thrust of the Old Testament.

Justice Means Repairing Relationships

The biblical view of crime as a violation of shalom suggests a way of viewing crime that is closer to the way we actually experience it. Crime is a violation of people and of their relationships. Justice, then, ought to seek first of all to repair relationships, to make them right.

An alternate understanding of crime and justice might look something like this:

Crime is a violation of people.
Justice identifies needs and obligations . . .
so that things can be made right . . .
through a process that encourages dialogue and
involves both victims and offenders.

A restorative approach to justice understands that the essence of crime is a violation of people and of harmonious relations between people. Instead of asking first of all, "Who 'done' it? What should they get?"

(and rarely going beyond this), a restorative approach to justice would ask: "Who has been hurt? What can we do to make things right, and whose responsibility is it?" True justice would have as its goals restoration, reconciliation and responsibility rather than retribution.

Restorative justice would aim to be personal. Insofar as possible, it would seek to empower victims and offenders to be involved in their own cases, and, in the process, to learn something about one another. As in the Victim Offender Reconciliation Program (VORP), which operates in many communities in the U.S. and Canada, when circumstances permit, justice would offer victims and offenders an opportunity to meet in order to exchange information and decide what is to be done. Important goals would be to create understanding between the victim and offender, acceptance of responsibility, healing of injuries and empowerment of participants.

Is the restorative approach practical? Can it work? The experience of the VORPs suggests that while there are limitations and pitfalls, restoration and reconciliation can happen, even in some tough cases.

Moreover, our own history points in this direction. Through most of Western history, most crimes were understood to be harms people did to other people. Such wrongs created obligations to make right, and the normal process was to negotiate some sort of restitution agreement. Only in the past several centuries did our present retributive understanding displace this more reparative approach.

If our ancestors could view crime and justice this way, why can't we?

Resource

Zehr, Howard. 2006. *The Little Book of Restorative Justice*. Intercourse, PA: Good Books.

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Forgiveness and Reconciliation

Melissa A. Miller

Introduction

Forgiveness. Reconciliation. Important concepts and experiences in our Christian walk. And difficult areas for those who have suffered violence at the hands of family members.

Forgiveness is a regular part of our corporate worship. In liturgy, hymn, prayer, Scripture, and sermon, we are reminded of and called to participate in God's forgiveness of us. We confess our sins and receive assurance of pardon. We are urged to follow Jesus who asked God to forgive his offenders.

Our human journey is guided by our understanding of how Jesus lived. When we are violated, we experience anger and bitterness. We struggle with letting go of hurts and forgiving. The more extreme the offense, the deeper the wound, the more difficulty we have in praying with Jesus, "Father, forgive them for they know not what they do."

Reconciliation is an equally significant Christian concept. In 2 Corinthians 5:18–19, Paul writes,

God . . . reconciled us to himself through Christ, and gave us the ministry of reconciliation; that is, in Christ, God was reconciling the world to himself, not counting their trespasses against them, and entrusting the message to us.

We experience reconciliation with God and yearn for that in our human relationships, particularly when those relationships have been fractured by conflict.

Myths to Consider

But we need to rethink our understandings of forgiveness and reconciliation. For some of our misunderstandings clutter the path to healing. Let's consider some commonly held myths.

Myth 1—Forgiving means forgetting.

But the survivors of domestic violence testify to the permanence of the effect of such violence. Healing is available—and it comes by remembering the offense, not by forgetting.

Myth 2—Forgiving means accepting the offense.

But the wrongs can never be justified or acceptable. All forms of abuse—physical, emotional, and sexual—have no place in any family.

Myth 3—Forgiving is automatic.

But our first tendency as humans is to respond to violence with violence. If you hurt me, I want to hurt you back. Reflection is often required before we relinquish that instinctual urge to inflict pain in response to injury.

Myth 4—Forgiving is a quick, one-time event.

But most people experience forgiveness as a process. It may occur quickly for a few individuals. However, generally it occurs over a longer period of time.

Myth 5—Forgiving means the relationship is reconciled.

But forgiveness is different from reconciliation. Forgiveness means the survivor has been able to let go of the resentment. It does not mean that the relationship is reconcilable, that the parent-child union can be restored, that the marriage can be resumed.

Reworking the Myths

By reworking the myths, we construct some principles for helpful understandings of forgiveness and reconciliation.

1. We acknowledge that remembering is essential for forgiveness.

The catchy phrase "forgive and forget" is not based on reality. Perhaps it is based on our discomfort with pain, our difficulty acknowledging the emotions of anger and hatred, and the denial that is a common response to great injustice. Too often survivors are silenced with the remark, "Forgive and forget," which actually says the speaker is unwilling to listen to the survivor.

Those of us who wish to be helpful must examine our own motives for hurrying through the excruciating process of recovery. We must learn to stay with pain. "Forgive and forget" is never appropriate counsel for survivors of family violence. Their healing depends on remembering. We must support survivors as they learn to live with the memories of their experiences.

Offenders too must remember. Their recovery is dependent on their being willing to recall and take responsibility for their actions, and recognize the effect of their abuse on their victims.

2. We acknowledge that naming the abuse as sinful and unacceptable is essential to forgiveness.

The survivor must acknowledge that she has been injured before she can let go of the resentment she experiences in relationship to that offense. As witnesses, we must state our conviction that the abuse of power is unacceptable in Christian families. We must hold out a distinction between forgiveness and accepting or justifying the offense.

3. We acknowledge that anger, hatred and bitterness follow naturally from the abuse of power in family relationships.

Survivors have a right to experience such feelings and a right to express their pain. We place responsibility for the violation on the offender.

4. We acknowledge that forgiveness is a process.

Healing is a lengthy process and forgiveness, also a lengthy process, is only one part of the healing. There are conditions that make forgiveness possible. The church community plays a valuable role in the provision of such conditions, which take time and effort.

The survivor needs to experience justice as a part of the healing process. This happens when the survivor's story of abuse is listened to and believed, when opportunity is provided to heal, and when the offender is called to accountability.

Restitution is one extremely valuable step in justice-making. Restitution generally involves a financial payment by the offender to the victim. It is a concrete symbol of the offender's willingness to acknowledge responsibility for the harm done. While this occurs infrequently in domestic abuse, it is one step churches can promote as they attempt to make justice.

5. We acknowledge the distinction between forgiveness and reconciliation.

Forgiveness precedes reconciliation. Reconciliation may or may not follow forgiveness. Reconciliation—the restoration to just and caring family relationships—may not be possible or healthy.

Our acts of forgiveness occur in the context of time and space. We cannot turn back the clock and give the child an abuse-free childhood; the chance for that parent to tenderly care for that child is gone. The battered wife may have endured too many years of abuse to permit her to move back into a marital relationship with her spouse, even if he has changed his ways. Either the offender or the survivor may have died or be unavailable for the relationship.

God Heals in Different Ways

Many survivors choose a time of separation from their offenders and discover that this separation is an essential condition for their healing. We need to walk alongside survivors as they determine the appropriate level of relationship with their offender.

A survivor may forgive his or her offender, but the offender's refusal to acknowledge wrongdoing prohibits harmony from developing. The survivor may then experience internal reconciliation without experiencing relationship reconciliation.

An offender may experience God's forgiveness and may be able to forgive herself. But her victim may still be working through the hurt and the hate and not be able to open himself to a relationship. The offender may then find internal reconciliation, hoping for the day when her victim can consider relating to her. Offenders who acknowledge their wrongdoing and demonstrate their willingness to turn from their sin pave the way for reconciliation.

At all times it is important to remember that it is the violence that has destroyed the covenant. The victim should not be blamed.

On some occasions, both survivors and offenders may be ready to be reconciled. When this occurs we thank God for the demonstration of healing grace. We do not assume that this is what must happen in all situations and push ourselves and others toward it. Rather, by submitting to a process of healing, we accept God's gracious touch wherever we receive it.

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Restorative Justice Signposts

Harry Mika and Howard Zehr

We are working toward restorative justice when we . . .

- I. . . . focus on the harms of wrongdoing more than the rules that have been broken,
- II. . . . show equal concern and commitment to victims and offenders, involving both in the process of justice,
- III. . . . work toward the restoration of victims, empowering them and responding to their needs as they see them,
- IV. . . . support offenders while encouraging them to understand, accept and carry out their obligations,
- V. . . . recognize that while obligations may be difficult for offenders, they should not be intended as harms and they must be achievable,
- VI. . . . provide opportunities for dialogue, direct or indirect, between victims and offenders as appropriate,
- VII. . . . involve and empower the affected community through the justice process, and increase its capacity to recognize and respond to community bases of crime,
- VIII. . . . encourage collaboration and reintegration rather than coercion and isolation,
- IX. . . . give attention to the unintended consequences of our actions and programs,
- X. . . . show respect to all parties including victims, offenders, and justice colleagues.

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Toward a Transformative Practice of Restorative Justice

David Dyck

One of the most persistent critiques of the field of restorative justice (RJ) is that it still fundamentally fails to address the structural dimensions of criminal conflict. Current mediation and conferencing strategies focus too much energy on the interpersonal dimensions of crime and ignore the deeper roots of the trouble as found in class, race/ethnicity, and gender-based systemic conflict. Practitioners have largely not been trained to think of their work within systemic frames of reference and so, by default, tend to carry out their role as if peace and conflict in one's life were a purely personal responsibility and prerogative. While few, if any, critics claim that RJ practitioners intend these grave effects, the net result, they conclude, is the same: participants in informal justice models are persuaded, through affective strategies, to focus on interpersonal accommodations and are effectively anesthetized to larger questions of consciousness and action.

Harry Mika (1989) draws on a real-life case study to illustrate the problem. His case study involves a matter in which criminal charges were laid and the principal combatants were ordered to participate in a RJ mediation program. The precipitating incident concerned a protracted conflict over street parking. It revolved, on the surface of things, around who "was 'allowed' to park in front of whose house." Although a wide range of neighborhood residents had been affected by this dispute, one person, whom Mika refers to as "Rio," appeared to be especially central. Rio's refusal to allow a certain African-American man to park in front of his home meant that he and a few other players were gathered, albeit somewhat reluctantly, for facilitated deliberations. Lengthy sessions were conducted that allowed participants to express their feelings. Detailed agreements were pursued that stipulated specific behavioral expectations for the various individuals at the meeting with the emphasis on "technical issues, such as who would park where, how late and how loud parties would be, and the like."

By mapping out this conflict's deep-seated connections to a far more complicated web of community forces and societal patterns of racism, sexism, classism, addiction, homophobia, violence, repression/control,

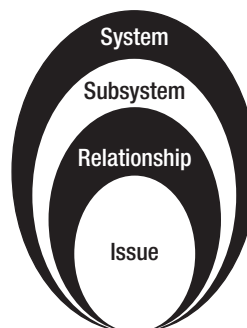
and dependence, however, Mika powerfully demonstrates the shortcomings of the mediators' interpersonal and issue-focused approach. As the author puts it so well, Rio may be sexist, racist, homophobic and violent, but "he draws his definitions of masculinity and his license for the macho prerogatives he holds dear from a shared culture that tolerates intolerance and invidious distinctions between human beings." Mika concludes that although the mediators' efforts in the parking dispute were undoubtedly "better than nothing," their emphasis on affective, interpersonal accommodations has very limited potential to truly address the underlying sources of the trouble.

"Reaching Toward" a Structural Analysis

While I am not sure that we can hope to develop a practice that clearly, demonstrably, and consistently addresses the shortcomings Mika has articulated, I am convinced that it is possible to develop an approach that reaches toward change at the structural level in the sense that it makes such change more likely. As a minimum starting point, it seems particularly crucial to more consciously and consistently train mediators/facilitators to think in systemic/structural terms (rather than maintaining an almost exclusive focus on skill building).

Dugan's "Nested" Conflict Foci

One critical conceptual dimension of a more structurally attuned practice can be found in the work of Maire Dugan (1996). This conflict theorist identifies four different levels of conflict as issues—specific, relational, structural/subsystemic and structural/systemic. She argues that those seeking to address con-



Nested Paradigm of Conflict Foci
Dugan 1996

flict on one level need to be cognizant of the way that same conflict may be manifested or rooted in the other levels.

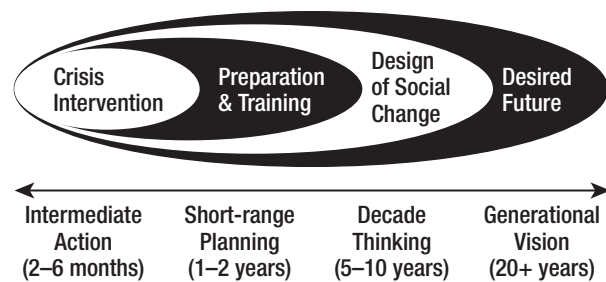
This suggests that if we truly wish to work at the roots of a problem, RJ practitioners must be engaged on multiple levels in a multiplicity of roles drawing on multiple forms of intervention/action. We must move beyond the traditional focus of mediation—meeting with Rio and the man who wants to park in front of his house—or even that of group conferencing—meeting with these two plus a handful of others from their neighboring homes—“because the problem and its possible solutions go well beyond” (p. 17) these individuals. Instead, informal justice programs must be prepared to respond to this problem as it:

1. emerges from our dysfunctional paradigms of race relations, power, and socioeconomics (structural systemic);
2. is reinforced in the specific policies, traditions and procedures of our various institutions that are, or are perceived to be, inequitable or ineffectual, such as the police, the courts, and other civic structures (structural subsystemic);
3. surfaces in the ongoing patterns of interaction and feelings between the principal combatants and their associates/social circles (relational); and
4. is exhibited in the specific issues that emerged at the surface level of the conflict, such as who should park where (issues-specific).

Lederach’s “Nested” Time Dimension

John Paul Lederach (1998) supplies another key dimension for a structurally transformative approach to RJ. His diagram illustrates the vital importance of “nesting” one’s response to a problem in one time frame with a clear understanding of the implications of that response for other phases of one’s work. In other words, we must not respond to a moment of crisis (e.g., a crime) in such a way as to undermine our long-term vision of our desired future together. Rather, our activities in the immediate (2–6 months), short-range (1–2 years), decade time frame (5–10 years), and long-term, generational vision (20+ years) must be integrated and comprehensive.

Focusing all or most of one’s attention as a RJ facilitator on working out a detailed agreement on the most immediate issue of who will park where in Rio’s neighborhood is a classic example of the crisis-driven, “quick fix” reactions that Lederach advises against.



Nested Paradigm, The Time Dimension in Peace and Justice Building

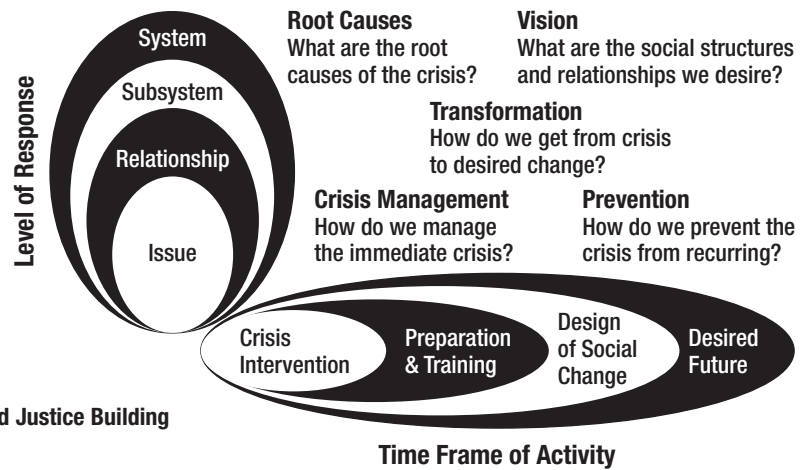
Lederach 1998

While addressing the immediate issue of parking, this approach arguably increases the threat of a more destructive outbreak of violence in the long term when the deeper structural roots of the parking problem give rise to new “weeds” (i.e., disputes). These, in turn, are experienced as all the more distressing and provoke a higher level of reactivity because participants were “led on” to believe these tensions were behind them. When we initiate processes whose time frames and numbers of participants only permit a focus on one or two immediate concerns, it is only a matter of time before other issues, such as someone’s barking dog, loud children, or dilapidated fence, “sprout” yet again.

Another way of saying this simply is that you resolve issues, but you don’t resolve relationships or communities, hence the need for a comprehensive strategy of transformation, not just restoration. At the level of time frames, this suggests that facilitators and participants alike must be encouraged to think in humble, realistic ways about what can be accomplished in one or two meetings. RJ practitioners should seek to respond to the immediate crisis of the neighborhood parking dispute, wherever possible and appropriate, with models of intervention that reflect a belief in the need for an ongoing process. In the same way, we must strive to include a representation of people that reflects the belief that relationships and networks are the soil in which long-term, structural change takes root.

Dugan and Lederach in Combination

Lederach brings Dugan’s concept together with his own in *Building Peace: Sustainable Reconciliation in Divided Societies* (1998). In so doing, he creates a model that is useful in assisting RJ mediators/facilitators to cultivate a longer and deeper view of their tasks.



An Integrated Framework for Peace and Justice Building

Lederach 1998

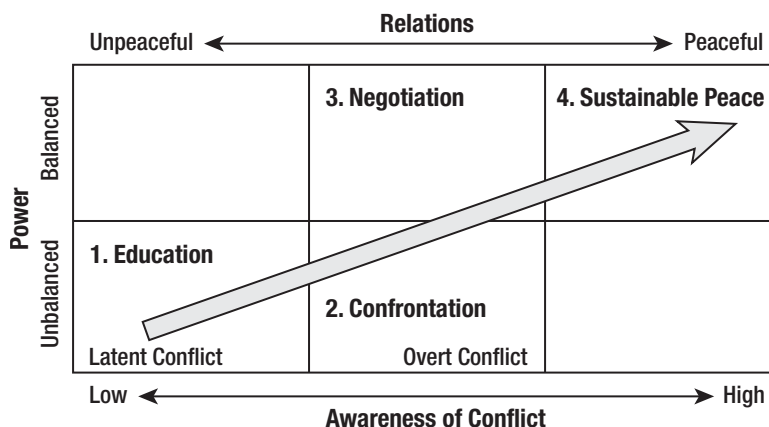
Lederach articulates five questions that emerge from this new model that move us toward a more long-term response to conflict. The questions prompt strategic thinking as it relates to crisis management, crisis prevention, transformation, root causes and vision. These questions can be usefully adapted and applied to the realm of RJ practice and training along the following lines:

1. How do we respond to the immediate crisis/issues/wounds created by the violation of one community member (i.e., the victim) by another community member (the offender)? How do we respond to the immediate crisis the violation causes for the community as a whole? (**Crisis Management.**)
2. How do we prevent the crisis of violation and injury from recurring? (**Prevention.**)
3. How do we get from the immediate crisis of this offense to desired change in the offender and in our society? How do we get from the immediate aftermath of violation to desired healing in the victim and our community? (**Transformation.**)

4. What are the root causes of the violating behavior in the offender, the community, and society at large? (**Root Causes.**)
5. What are the social structures and relationships we desire? (**Vision.**)

A Broader Framework of Peacebuilding and Social Change

A final critical conceptual framework is found in the work of Adam Curle (Lederach 1995). Curle's model affirms the need for consciousness raising education, advocacy, and negotiation/conciliation/mediation (i.e., dialogue). All of these are framed within an overarching goal of long-term peacebuilding for socioeconomic and relational-spiritual transformation (the wide arrow in the chart below represents the progression of conflict and change). Furthermore, the model assumes an unembarrassed value orientation in favor of less powerful groups gaining voice as a precondition of true transfor-



Adam Curle's Framework for Building Peace and Restoration

Lederach 1995

mation. In many ways, then, his work is an earlier articulation of the themes explored by the writers I have already reviewed.

Like Dugan, Curle affirms the need for a multiplicity of roles to be utilized at different times throughout the peacebuilding process. Like Mika, he also recognizes the dangers of “cooling out” or pacifying a conflict by prematurely facilitating dialogue in a situation which should be helped to progress from the covert to overt stages. His model suggests that unless both the disempowered and more powerful parties begin to recognize the structural nature of their problems, facilitated dialogue is actually counterproductive to building peace.

Curle’s work has clear and dramatic implications for our understanding of RJ. It adds the critical dimensions of power analysis, awareness, and latent and overt conflict. As such, it reflects the additional insight that crime often grows out of frustration. This frustration stems from the fact that some individuals and groups in society have more power than others and that this situation of injustice remains largely unrecognized and unacknowledged. This argument is supported by the simple fact that the vast majority of persons who are arrested, prosecuted and imprisoned for committing crimes belong to the lower socioeconomic strata of our society.

RJ practitioners, then, can be helped enormously to understand these realities by learning about Curle’s model. More specifically, they can be assisted to reflect critically on the implication that *facilitated dialogue* (e.g., Victim-Offender mediation or conferencing etc.) may well serve to reinforce power imbalance and structural conflict because of its premature use at the first level of unbalanced and unaware relations.

In the final analysis, however, while the sources of crime may be largely structural, the effects are primarily personal. Curle’s model, therefore, does not suggest the inappropriateness of Victim-Offender dialogue as “the opiate of the peacemaker,” by definition, so much as it makes clear the need for RJ practitioners to: A) be wary of the ways their work may reinforce structural injustice; B) work cooperatively and respectfully with social activists, advocates, and other community partners who are pursuing the avenues of education and confrontation more directly; and C) design models of RJ intervention that are more able to serve the ends of interpersonal healing while also promoting the goals of education and confrontation with respect to the structural sources.

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Victims and Restorative Justice

Kathy Buckley

When I taught a class with a colleague recently called “Looking Through Both Lenses: Through the Eyes of the Victim and the Eyes of the Offender,” I found myself speaking for those I have worked with in the past. I said to the class:

“I speak for the wife and husband whose daughter and two grandchildren were killed by an arson fire.”

“I speak for the victim whose mother was gang-raped.”

“I speak for the mother whose eight-year-old daughter loved to come see me in therapy, but refused to speak to me or her teachers . . . after she was sexually assaulted.”

“I speak for the victim who was kidnapped, raped and beaten for several hours.”

“I speak for the father who saw his son in pain on a gurney after his eye was gouged out with a broken bottle.”

When someone is victimized by an offender, they may experience a broad range of emotions. They are confused as to why their son was sexually abused by a trusted family member. They may experience helplessness because they couldn’t save their daughter from being hit and killed by a drunk driver. They are afraid the person who broke into their house will come back again. They are fearful because if they call the police, the offender will carry out his promise and hurt them and their family. They want to make some type of sense of why something so horrible happened to them. They may feel anger because they have to go through this trauma. They may be angry with their God for allowing a person to rape them.

When victims experience a crime against them—assaulted and beaten by their spouse; their child sexually assaulted; a parent hit and killed by a drunk driver; an employee caught embezzling thousands of dollars from their business—they typically must enter the criminal justice system. Often there is the hope that someone will be held accountable and that this, in some measure, may help the victim to feel restored.

The victim’s experience with the criminal justice system, however, is not usually a constructive, helpful one. Many victims feel as though they have no rights, and that the offender has all the rights.

Because the criminal justice system is offender focused, the victim often asks “What about me? Don’t I have a say? Don’t you want to know what I think? Do you understand how my life has changed? What about my rights? This crime also involved me . . . It happened to me!”

After a crime, the restorative justice system makes the victim a key stakeholder by asking, “Who was harmed? How have they been harmed? And what are their needs?” (Zehr 2002). This concept recognizes the role of the victim as part of the process, not someone on the outside looking in. I would argue that there is not a restorative justice system in the United States, but there are restorative practices and restorative approaches that work in concert with the criminal justice system.

What does restorative justice mean to victims? I don’t know; there is no “cookie cutter” approach since every victim is different and their needs may be different. But I do know that in order to be restorative and to develop restorative programs and approaches we must ask victims what their needs are. The following are some common themes that victims have expressed:

1. Victims want someone to be held accountable. Accountability is a broad concept: For some victims, it may mean the offender acknowledges the harm he or she has caused; it may mean the offender accepts and pays for all costs victims occurred as a result of the crime; and yes, it may mean someone serves time in prison. Asking and involving the victim in the offender’s accountability acknowledges their interest and investment.
2. Victims want to have a voice and to be heard. Creating opportunities for victims to tell their stories and to express how the crime has impacted them and their family is very important. No one can assume how a victim feels, nor should they try. Acknowledging the significance of storytelling and the substance it brings to those who hear it, finding times throughout the criminal justice system for the victim to be involved, and asking for their input into the decision-making process is another way of acknowledging their voice.

3. Victims should feel empowered. Empower victims by providing them with information so they can make decisions. Just doing this recognizes that victims need to regain power and control of their lives—something the offender took from the victim by committing the crime against them.
4. Victims should feel safe. Create an environment that allows the victim to feel safe. Many times, their feeling of security was taken away by the offender and they wrestle with the feeling of not feeling safe in their own home, always looking over their shoulder. Victim safety is paramount.
5. Victims should feel respected. Acknowledge that victims are strong and courageous people who have survived a traumatic event. Respect the fact that they will experience crime differently and will express their feelings differently.

It has been challenging as a victim advocate to observe some restorative justice practitioners not fully appreciating or respecting the view of the victim, the involvement of the victim and the very elementary ingredient of including victims and victim advocates in any type of restorative practice. When I look at programs that claim to be restorative, I ask several questions:

1. Is the victim involved? That seems elementary, but some programs claim to be restorative because they “teach” offenders about the victim experience. Some programs feel they are being restorative by ensuring the offender participates in community service.
2. Are victims and victim advocates at the table during the planning (and maintenance) stages of a restorative program? How can a program be restorative without hearing from the people that have been harmed and can express first hand how that harm affected them? Victims and victim advocates can articulate aspects and issues to bear in mind as the program is developed. Rather than dismissing this perspective when it becomes challenging to restorative justice practitioners, the dialogue and inclusion should become more important.

3. Is the program victim-focused or victim-centered or is it offender-focused?
4. If the victim chooses not to be involved, is the program still victim-centered in practice? How do they ensure this?
5. Are victims and victim advocates part of the governing board as the program continues to evolve? For example, are there victims and victim advocates on Youth Aid Panel Boards?

Among the victim advocacy community, there are some challenges for restorative practices. As Susan Herman (2004) points out in her discussion of Parallel Justice, restorative justice processes are limited to those cases where there is an offender. It is further limited to those cases where the offender admits guilt and is willing to participate. We as a society need to work toward providing restorative practices and approaches to all victims—not just those where there is a convicted offender. What about the domestic violence victims that can never feel safe? What about those children that are sexually assaulted by a family member and don’t feel safe to tell anyone? What about those victims who have never reported a crime because they fear they won’t be believed? What about those crime victims where the offender has never been caught? What would restorative justice look like to these victims? That is my question for you.

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Restorative Justice Lessons from Offenders

Barb Toews

Restorative justice requires wisdom,” the man told the group. “Wisdom to know when to bring people together to build peace and when to keep them apart to prevent violence.” The others nodded in agreement. As incarcerated individuals, they knew the need for this wisdom first hand. Restorative justice resonated with them as people who had committed crimes and who wished to live healed and meaningful lives.

People who have committed crimes have been my teachers in restorative justice and its practices. They have defined restorative justice in the following ways:

- Recognizing and accepting one’s responsibility for the destruction of human relationships and making concrete efforts to repair those relationships and promote healing.
- Healing broken relationships and abuses by people, for people.
- “Making it right” without harming those involved.
- Building instead of blaming —rebuilding our communities with those who made mistakes and healing all those harmed.

My incarcerated colleagues celebrate the philosophy’s possibilities and debate the gaps and contradictions. Through these conversations and relationships, I have gained four valuable lessons:

1. Restorative justice is a values-based philosophy.
2. People who commit crimes have needs similar to others impacted by crime, yet have unique concerns as offenders.
3. People who commit crimes can be restorative justice practitioners.
4. Restorative justice practitioners can be personally challenged and transformed by people who have committed crimes.

Understanding restorative justice through the lens of an offender requires putting these lessons into practice.

Lesson One: Restorative justice is a values-based philosophy.

The man quoted above correctly suggests that restorative justice does not require victim offender mediation. All too frequently, “restorative justice” and “victim offender mediation” are incorrectly used as synonymous terms. Mediation, and other encounter processes, is just one way to practice restorative justice. Restorative justice itself is a philosophy predicated on a particular set of values. These values include interconnectedness, respect, transformation, accountability, participation, transparency, humility, self-determination, trust and care.

This values-based distinction is important for offenders. During an early foray into restorative justice education in prison, a colleague and I presented restorative justice to prisoners much like we did in the community—restorative justice as a victim-centered approach focused on an offender being held accountable and making amends. Their immediate reaction clearly communicated that restorative justice felt like an approach that was done to them for the sake of someone else. They were unsure how their needs fit into the philosophy. A different understanding of restorative justice was needed.

I use the image of a web to describe restorative justice and its values. Clearly, a web represents the value of interconnectedness. It also carries with it important messages about a shared humanity, common values, respect for individuality, difference and relationship, mutual responsibility, and participation. And, since the impact of everyone’s actions is felt across the web, the web symbolizes the importance of repairing broken relationships, even in crime situations. Offenders can see themselves within this web and recognize the possibilities restorative justice holds for them, their relationships and their own healing.

The web also opens conversation on other issues that are of concern to many who have offended; for instance: causes of crime, white collar crime, offenders’ stigma and the separation that comes with punish-

ment (and even the role of punishment in restorative justice) and their value as human beings and community members. The web and a values-based understanding of restorative justice respects people who commit crimes in a way rarely afforded them.

Lesson Two: People who commit crimes have needs similar to others impacted by crime yet have unique concerns as offenders.

In a classroom activity, facilitators tallied the number of crimes the incarcerated participants experienced as victims. The 13 prisoners shared more than 300 victimizations between them. As we discussed what they needed as both offenders and victims, their responses were indistinguishable. Regardless of what experience they were contemplating, they needed the same things: relationship, safety, empowerment, information, storytelling and the venting of feelings, accountability, growth and meaning. While the way of meeting these needs changed depending on what experience they were considering, the list universally expressed what was needed to live in community with one another.

Restorative justice is the path to both accountability and personal healing for all justice participants, including offenders. Following a crime, healing and wholeness is not just the victims' journey. When faced with prisoners' questions of "What's in it for me?" my incarcerated colleagues respond by stating that restorative justice is "a new way of life" or "a new beginning." The joint message of—and hope for—both accountability and personal healing draws people into the philosophy.

Yet, people who offend bring unique concerns to restorative justice. They consider their families to be "hidden and ignored victims" of their crimes. Many feel an obligation to address the harms they caused their families and wish to rebuild or strengthen family relationships in the aftermath. Some offenders have family members who have been offenders. For others, family members are their direct victims, raising a host of complicated issues. Offender families share the same justice needs as victims and offenders and have a place in restorative justice practice.

As a value set, restorative justice has more to offer than simply a justice response. It is a way of life. My incarcerated colleagues present restorative justice to other offenders as a way to relate to others on the job, at home, in school, with prison staff, on the cell block and with everyone with whom one comes in contact

every day. One incarcerated individual created the mantra "It's time to take an RJ break" to call himself back to restorative values when faced with difficult situations. Particularly for those who are incarcerated, restorative justice as a way of life is countercultural and requires strength and commitment.

Restorative values and the image of a web raise important questions about social justice. If justice is about repairing relationships after crime, what type of relationships (interpersonal and societal) are necessary to prevent crime in the first place? Can we understand offenders/justice/accountability/healing without understanding the wider social context? Our work includes envisioning restorative communities. The message in these discussions is clear—"I, an offender, will do my part to be accountable and heal. Society must also be accountable and heal for the common good." Restorative justice is about both individual and societal transformation.

Lesson Three: People who commit crimes can be restorative justice practitioners.

The Pennsylvania Prison Society is collaborating with incarcerated men and women to create a prison-based victim services program by mobilizing the existing helping culture among prisoners to support individuals who become crime victims while incarcerated. As people who had offended and their advocates, we doubted our knowledge of victims. How do you actually support victims in prison? What do they need? What if we re-victimize them? We were encouraged to move forward by a victim advocate. "You know how to support victims. You do it all the time with each other here in prison when you see people around you hurting," the advocate said. "You are second guessing what you already know."

People who have committed crimes can and do practice restorative justice in their prison, community, work and family lives on a daily basis. For some, it is simply living out restorative values. Others develop restorative programs to use in the prison community. Still others collaborate with established practitioners on the outside. Many lead forums that educate the public on the restorative justice philosophy. They keep circles to deal with community conflicts. Their projects are often unique to their experiences as offenders.

In the restorative spirit of respect and humility, outside established practitioners are called to embrace these individuals as equal and knowledgeable practi-

tioners and to provide opportunities, resources and training. Offenders are collaborators who deserve to be at the table to design and facilitate restorative programs. They understand restorative justice in a way that speaks to others who have offended. They have much to offer the field.

Lesson Four: Restorative justice practitioners can be personally challenged and transformed by people who have committed crimes.

My relationships with people who have committed crimes have been fun, educational, inspiring and painful. Not only has my understanding of restorative justice and justice needs evolved, but so have I personally. I am, hopefully, becoming a better, more thoughtful person. I close with the following suggestions for opening yourself to work with offenders:

- Be quiet and listen, especially when you really want to say something.
- Listen to what your triggers are telling you about yourself.
- Believe that words and sentiments may be more complex than you realize.
- Remember that you have probably hurt people too.
- Meet people where they are at, not where you wish they would be.
- Admit that you may not know everything and, at times, may know nothing at all.
- Relish in the questions, contradictions and ambiguities of crime and justice.
- Keep clear boundaries and take care of yourself.

Perhaps most importantly, remind yourself of your shared humanity with people who have committed crimes. It is in our walk with offenders that we are called to practice what we preach in a profound way.

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Traditional Conception of Restorative Justice

Samuel Gbaydee Doe

A story is told about a community of people in the Yoruba region of West Africa who have a way of responding to people who deviate from the social norms of their community. When an offender is caught, he or she is brought in the early morning hours under the palaver hut, usually at the center of the town. He or she is asked to stay under the hut until dusk. Each member of the community comes by on their way to the fields to confront the offender. Instead of telling him or her how terrible the action was, each person thinks of a specific case when the offender behaved positively and expresses the personal satisfaction the speaker gained from that experience. He or she ends, "I want to thank you for the positive impact you made on my life then, and I know that you are capable of making many more people experience the joy and satisfaction I experienced when you did that for me." This method is not to deny that a crime was committed nor does it negate the risk of crime being committed. Instead, it reinforces the character and values with which, it is believed, everyone is endowed.

There are fundamental assumptions this community and most traditional communities hold about humanity, individuals and the community. These assumptions inform understandings of justice and what they anticipate as an outcome when they act justly or seek to correct those who act unjustly. I will briefly outline some of these assumptions in this article.

First, traditional communities such as the one described above assume that humans are at the center of the universe and, just as the universe is beautiful, humans are essentially good and beautiful. Humanity is created, reinforced and inspired by the universe, beginning with the community that, it is believed, is the nucleus of the universe. Community, in a number of African traditional societies, epitomizes the harmony and beauty of both the cosmic and real world. It is therefore imperative for humans to maintain the balance and health of a community.

Where is the individual in all this? This is where most traditional societies in Africa may differ with Western modern societies. The individual in traditional society is the extension of his or her community. He or she exists because he or she belongs to a community—and the community survives because the individual exists. There is an intimate and mutually reinforcing relationship between the individual and the community. His or her peace and health define the peace and health of the community.

Conceivably, this explains the seriousness attached to an individual infraction of the rules of the community. Any infraction tips the balance of the community. Each individual in the community makes every effort to correct such an imbalance. Until it is proven that the individual is irredeemable, corrective measures of most traditional communities focus on restoring the individual, his or her immediate family and the community.

In our story, it is believed that by dusk the individual would have reflected seriously on his or her action, become remorseful and resolved to work at personal transformation. He or she would go to the elder of his or her kin and ask for forgiveness for causing such embarrassment. Depending on the crime, the immediate family would take a goat or cattle to the elder of the village to plead for their son or daughter. This animal, if the crime was murder or adultery, would be killed to cleanse the individual and the community. The meat would be divided between all homes and eaten as an indication that the community has forgiven the individual and is welcoming him or her back to community life.

Communities are now large and heterogeneous. Many different values and beliefs are interacting either in harmony or in crisis. As a result, traditional concepts of justice have given way to retribution that was introduced to Africa—especially through Western and religious systems of jurisprudence. It is difficult to grasp the redeemable strength of these new justice systems although they are said to be the proud outcomes of human civilization.

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Restorative Discipline

Zenebe Abebe and Ron Claassen

Background

Dealing with college students' misconduct is as common for student affair professionals as students going to classes. Most colleges and universities continue to resolve disputes the way they have done for decades. At most institutions, it would not be surprising to find an elaborate system of punishments and fines, some of them quite stiff, for those who violate institutional rules and standards. Depending on the nature of the violation, discipline may include fines, suspension, and even expulsion. The concern we want to address in this article is not so much about the kind of consequence, but about the process, which is typically combative, punitive and not redemptive in nature.

Although the goals of our discipline policy at Fresno Pacific University (FPU) were clearly stated in redemptive and restorative terms, our process for responding to conflict, misbehavior, and violations was similar to the process mentioned above. We asked, as do others using this process, three basic questions: Was a rule, standard or policy violated? Who did it? And, what should be their punishment? This paradigm was rarely, if ever, questioned.

In 1990, the Center for Peacemaking and Conflict Studies was established at FPU. Over the years we became increasingly concerned about the structures that guide our institutional responses to misbehavior and conflict and the enormous force exerted by these unseen and generally unquestioned structures. What we noticed was that conflict resolution and mediation were generally seen as something that was appropriate and even effective in some selected cases but that the "real discipline system" continued to be based on the three questions mentioned above. A primary Center goal has been to encourage and assist institutions in re-evaluating their goals, reconsidering their processes, and embedding conflict resolution and restorative justice into their structures.

At FPU, already in 1990, there were discussions about the possibility of utilizing mediation as part of the discipline structure and even trainings for student life leaders. For many years, occasional referrals were made to the Center for mediation on selected cases that someone in the authority structure thought appropriate.

Mediation/conflict resolution was seen as something in addition to the "real discipline system." The outcomes of these mediations were generally positive and seen as helping achieve the stated goals in the discipline plan of redemption and restoration but utilization continued to be occasional and an exception rather than the primary way of responding to conflict and misbehavior.

Dr. Zenebe Abebe became the new Dean for the Division of Student Life at FPU in 2003. As part of his "getting acquainted" with FPU, he decided to review the student discipline policy. He asked the assistant dean to establish a committee that included students, faculty and student life personnel to review the policy and make recommendations. Hearing about the policy review committee, Ron Claassen, director of the Center for Peacemaking and Conflict Studies, encouraged Zenebe to consider the possibility of incorporating restorative justice principles and processes in the student discipline policy. Ron, and later another Center staff member, were invited to be members of the committee.

In the first few meetings, the committee assumed that their task was to make adjustments to the current policy. After a few meetings of reviewing the current policy, Ron asked for, and was given, the opportunity to present the principles and practices of restorative justice along with an overview of the Juvenile Justice model that had been established in New Zealand. The rationale behind this presentation was the observation that most school discipline policies (kindergarten through university) operate a lot like a criminal justice system. Therefore restorative justice principles and practices, which had developed within the context of the criminal justice system, must be equally relevant to student discipline policy. The presentation included the contrasting lenses of justice developed by Howard Zehr, the *Fundamental Principles of Restorative Justice* developed by Ron (<http://peace.fresno.edu/docs/rjprinc.html>), the model and results from New Zealand, and an overview of RJ City (<http://www.rjcity.org>); a model in which a fictional jurisdiction works with all crime in the most restorative way possible.

Restorative justice is contrasted with retributive justice by Howard Zehr in his groundbreaking book, *Changing Lenses* (1990). He compares two lenses for justice:

Retributive Justice

Crime is a violation of the state, defined by lawbreaking and guilt. Justice determines blame and administers pain in a contest between the offender and the state directed by systemic rules.

Restorative Justice

Crime is a violation of people and relationships. It creates obligations to make things right. Justice involves the victim, offender, and the community in a search for solutions which promote repair, reconciliation, and reassurance. (P. 181)

The FPU student discipline policy review committee could see that FPU goals were closely aligned with the restorative lens but FPU structure operated like the retributive lens.

According to Judge Fred McElrea of New Zealand, legislation was passed in 1989 that required that almost all juvenile cases, before being heard by a court, be given an opportunity to have a Family Group Conference (FGC). An FGC included the offender and several immediate and extended family members if possible, the victim and several support people, some community and faith community representatives, at least one criminal justice official, and was lead by a facilitator. The process in the FGC was to recognize what had happened, to decide on how to make things as right as possible, and to create agreements for a constructive future. If the FGC came to unanimous agreement, it was accepted by the court and if agreements were kept, that ended the case. By the end of five years, the number of cases needing to be decided upon by the court had been reduced by 75% and the number of youth being incarcerated had been reduced by nearly 66%. The key to their huge success was their structural change.

Ron suggested that FPU could change the structure of its discipline program in a similar way. It could provide the opportunity for a Community Justice Conference (a form of mediation including as many of those impacted by the violation as possible) to all cases and in doing so, align its goals and process.

The students on the committee immediately responded that they thought that this would be a very good improvement and that students would be more likely to accept responsibility in this kind of system. The person from student life who had been responsible for determining guilt and for meting out the punishments could see that this would substantially relieve that horrible weight from his shoulders and provide a redemptive option for those who were willing to accept responsibility. Everyone thought it was more consistent with our goals and yet everyone had serious doubts about it. By consensus,

the committee decided to develop a restorative discipline policy.

We looked for university models and found many universities that had mediation programs. However, of the college/university campuses that we found that had implemented mediation programs, none had replaced their punitive student discipline system with a restorative one that made a mediation process the primary and central process while reserving the authority and coercive processes as their back-up processes. Rather, it seemed that most were offering mediation as an option parallel with their old system. And on many campuses, mediation was simply offered as a course and not as a process to deal with student conduct or to deal with discipline.

In 2004, upon the recommendation of the discipline policy review committee and with help from the Center for Peacemaking and Conflict Studies, the division of Student Life decided to move from a one-person authority-based discipline process to a community-based mediation process as our primary process. We developed a new student discipline policy we call *Restorative Discipline* (see handbook at <http://www.fresno.edu/sharedmedia/studentlife/restoratediscipline.pdf>). Since the university is owned and operated by Mennonite Brethren Churches, we developed a restorative discipline policy that is consistent with the Christian texts:

Matthew 5: 38–48

You have heard that it was said, “An eye for an eye and a tooth for a tooth.” But I say to you . . .

You have heard that it was said, “You shall love your neighbor and hate your enemy.” But I say to you, love [be constructive with] your enemy . . .

Matthew 18:15–16

If one of my followers sins against you, go and point out what was wrong. But do it in private, just between the two of you. If that person listens, you have won back a follower. But if that one refuses to listen, take along one or two others. . . .

As stated in our handbook goals, we believed that this new process would enhance the academic purpose and atmosphere of the campus educationally, socially, spiritually and developmentally. We were convinced that the process would encourage maturity while providing students with the opportunity to learn from their mistakes. It was designed to provide the opportunity for reconciliation of those who have been injured or estranged and to enable the restoration of an individual to his or her place in the community. We also believed

that this process would encourage students to take responsibility by holding them accountable for their own actions including making restitution for damages.

Description of Structure and Policy

The Restorative Discipline Process is designed to provide students and other community members of the university with two main options (Informal and Formal) to consider when they are in conflict with each other. The informal option encourages students to go to each other directly to resolve issues and repair damages as much as possible. Depending on the personality and maturity of persons involved, this may not be easy to do for some students. The informal option may also include a third person. All resident assistants and many student leaders are trained each year to provide informal mediation. Coaching and informal mediation are also available through the Center for Peacemaking and Conflict Studies. However, in the case of a violation, if an agreement is not reached and conflict is not resolved at this level, a violation report is filed which starts the formal discipline process.

The formal option contains up to three steps. The first step of the formal process is to provide an opportunity for Community Justice Conference (CJC) for all cases. The CJC is convened by a graduate assistant who is employed, trained, and supervised by Center for Peacemaking faculty. The convener/facilitator meets with all affected parties and invites them to participate. If the key people and adequate support/accountability people decide to meet and if all in the conference mutually agree that the violation/injustice has been recognized and plans have been made to make things as right as possible (must include restoring equity, future intentions, and a follow-up plan), and if at the follow-up meeting(s) all agree that the agreements have been kept, then a celebration ends the process. However, if the alleged offender thinks they have been wrongly accused (or refuses to accept responsibility) or if the convened group cannot come to agreement, then the case proceeds to the Student Judicial Board (SJB).

The second step of the formal process involves the Student Judicial Board and, as mentioned, is utilized only when a case cannot be resolved cooperatively through the Community Justice Conference. The SJB, made up of students, faculty and staff, attempts to resolve the situation through a deliberative judicial process. The SJB's first responsibility is deciding on responsibility. If judged responsible, the offender has another opportunity to enter a CJC or to have the SJB

make that decision. If the SJB makes the decision, they are also guided by restorative justice principles and will decide on consequences that are respectful, intended to address the needs and obligations created by the offense, to restore individuals and relationships as much as possible, and to reintegrate the person into his or her place in the community as much as possible.

The third and final formal step allows a student to appeal a Student Judicial Board decision to the Dean of Students.

Implementation and Evaluation

The implementation process of this new policy began by providing all university faculty, staff, and administration with at least a one-hour introduction/training. Residence life staff, Director of Safety, and those serving on the Student Judicial Board received additional training. For example, all resident directors, the Director of Resident Life and Housing, the Assistant Dean of Student Development Programs who oversees the discipline system, the Dean of Students and the Director of Safety participated in a week-long Basic Institute in Conflict Management and Mediation. All resident assistants (undergraduate students) and many other student leaders attend a one-unit conflict resolution class. The graduate assistant, who is the case manager and often the mediator for the CJC process, is a graduate student in the Peacemaking and Conflict Studies Master of Arts program.

There is a monthly meeting of a team (the Dean of Students and his staff meets with faculty from the Center for Peacemaking and Conflict Studies and the Director of Campus Safety) to review how things are going, what worked and what didn't, challenges and ideas for improving the process. Although we have the system in place, we see this as an ongoing process to address issues that were not anticipated, to work out implementation challenges, to discern where we can improve our system and learn from mistakes and successes we experience, and to monitor and evaluate case flow, progress and goals.

Results and Observations

Now into the second year of the program, the process is working pretty much as planned. One significant observation is that more conflicts and misbehaviors are being addressed at the informal level through direct discussion, student-led mediation, and resident director-led mediation.

In the school year 2005–2006, there were 19 formal violation reports filed, the mechanism that initiates the formal option. Of those, 18 were resolved in the Community Justice Conference process. Only one case proceeded to the Student Judicial Board.

Following are some observations from some of the staff who are central to the implementation of the Restorative Discipline process:

My initial skepticism to Restorative Discipline was that I thought it was going to be soft and let people who had really done something wrong off the hook. What I have seen is that in most cases dealing with situations in a restorative way leads to greater ownership, accountability, and change as an offender. I now look forward to discipline situations knowing that there is great potential to come out with improved relationships and both victims and offenders who have grown. —Dave Obwald, Resident Director

One of the most interesting things that I have noticed is that the more serious the case the better the outcome has been. When it is a more serious case, the student seems to be more willing to make things right. When it is not as serious, we have to deal with more apathy. They are more engaged when it is a serious violation. —Jason Ekk, Graduate Assistant and CJC Case Manager/ Mediator

In a community that values group processing, to have one person wielding so much power just did not fit our culture, let alone the pressure of determining guilt and innocence and becoming the personification of campus discipline. Who wants to be known as “Judge Dread?” It was time for a change in how we operated our student discipline process. Adopting principles and concepts from the field of restorative justice has allowed us to create a new process that fits our community ethos of group decisionmaking and support. —Don Sparks, Assistant Dean of Students

Conclusion

One lesson for us has been an increased recognition of the power of structure and how important it is to be sure that the structure is consistent with the goals. Another lesson for us is that our students are capable of resolving many of their own conflicts and misbehaviors when given the opportunity, tools and structures. We cannot expect more from students without providing these and modeling them ourselves.

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CHAPTER 4
Communication



Introduction to Chapter 4: Communication

The need to communicate and the desire to be understood are important for human survival.

From the moment of birth, humans have a need to communicate. A baby's language consists of cries, grunts, squirms and sighs. The caregiver's task, then, is to listen and interpret the infant's various communication signals. If the caregiver misinterprets the baby's signal, a cry of pain could be seen as a cry for food.

As we grow up, the need to communicate and the desire to be understood is further complicated. Though we are able to speak in a somewhat shared language, one's choice of words, intentions, nonverbal signs and the method used to transmit the exchange have an effect on whether we have communicated effectively. Now let us add culture, assumptions, expectations and biases—the idea that any of us can be understood is astounding!

If we want to be successful conflict transformation and/or restorative justice practitioners, it is essential that we are aware of how we communicate and also attempt to model effective communication skills.

The purpose of this chapter is to address two essentials of human communication—how to speak clearly and listen deeply. This is not meant to be prescriptive because the fact still remains that culture, assumptions, expectations, intentions, and nonverbal signals influence our communication. However, if we have the desire to communicate better, it is important to take the time to reflect on and understand our approach as well as be willing to be transformed.

Michelle E. Armster
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Why Don't I Speak? Why Do I Speak?

Valerie Weaver-Zercher

Why Don't I Speak More Often and More Forcefully?

I don't know how I feel. People sometimes remain silent, especially in a conflict, because they can't identify the emotions that are frothing inside of them. Rather than risk saying something they'll regret or don't mean, they say little or nothing. This silence can be interpreted as apathy, anger or strategic disengagement by other parties. Such perceptions can lead to misunderstandings and further conflict.

I want you to know what I'm thinking. Sometimes people remain silent in a conflict, especially with a significant other, because they think the other should be able to guess what they're thinking and feeling. Many of us have been hoodwinked by the myth of magic intimacy—if you really love me, you should know what I'm feeling without my having to say it. Such mind reading is not only impossible but also undesirable. If I want you to know what is going on inside of me, I must tell you. It is by the very act of telling—and your listening—that this elusive and holy thing called intimacy is brought into being.

I have not been allowed to speak in the past. A history of not being heard, whether as a person or member of a group, is hardly the best encouragement to try speaking now. Sometimes people don't speak because layers of oppression and a history of violence prevent speech. Such power imbalances not only disable people from speaking their minds and hearts; they cheat the whole group out of those persons' ideas and perspectives. It's important to attend to reasons one woman in a roomful of men isn't speaking or the lone African American among whites remains silent.

Why Do I Speak Too Often and Too Forcefully?

I don't know how I feel. If I am unaware of my emotions and unable to name them, I may become forceful and even oppressive instead of remaining silent. Distance from my emotional center may make me insensitive to others' emotions as well. This in turn may make me railroad my ideas past others without listening to theirs. Insecurity is commonly and often rightly considered a reason to remain silent—but it can also lead to forceful expressions of opinions and domineering conversational techniques. Often when someone is oppressive or even lashing out, that aggression is emerging, consciously or unconsciously, from deeper pain, woundedness or self-doubt.

I want you to know what I am thinking. Much of the speech in the media and public arena these days is contentious and divisive. Growing up in this society, children learn that the goal in any argument is to win. By extension, the goal in any conversation is to convince. If I speak too often and too forcefully, chances are that I am operating in this paradigm that honors the debater and belittles (or at least ignores) the collaborator. In our increasingly litigious culture, we are taught to present evidence, to prove something happened or didn't happen, and to "make a case." In other words, we learn to document, defend and declare. All of this makes it easier for many of us to let others know what we are thinking than to listen to what they have to say.

I have always been allowed to speak. If I am a member of a group with a history of dominance or that currently wields much power, I may be accustomed to speaking freely and to having the upper hand in conversations. I may come across as overbearing without knowing it. Recognizing my own power and learning to give others time and space to speak rather than filling every second with my own words is crucial.

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Listening Exercise

Harley Eagle and Ruth Yellowhawk

One of the main keys to a successful restorative justice process is the ability to “listen.” This particular exercise allows for practice in listening for feelings and values rather than focusing strictly on facts. It is beneficial in all phases of mediation including the articulation of a conflict, the desire to address it, mediation preparation, setting and follow up.

What we as practitioners often overlook when we listen to the stories of those involved in conflict is our own affect or reaction. Are our reactions indications of areas of our personal journeys that require work to make us better facilitators and advocates of true justice? This exercise can be used to highlight the practice and skills we need in order to deal with situations that “push our buttons,” cross-cultural mediations, case selection, asking pertinent and appropriate questions and knowing if we are in over our heads.

We have found that when we connect our personal experiences around conflict with the one that we are presented with in a particular case, deeper understanding happens. This conscious connection assists facilitators and restorative justice advocates to better articulate the process and provide helpful insight. It reinforces “heart/soul” connections to the work of restorative justice.

This exercise can help build community in the training session through personal stories and by the inevitable personal connections made through storytelling and respectful listening. The exercise can also be adapted to suit the needs of the size of group and time restrictions.

Often the benefits of this exercise are not immediate. Because the style of communication this exercise promotes may be foreign to some, it can produce anxiety, frustration and complaints. If such concerns arise, it is useful to work to further the teaching of this exercise with statements such as: *As facilitators we will run into situations that try our comfort levels and produce strong emotions and feelings. It is important to do self work to discover the source of our frustrations.*

Listening Exercise: Preamble to Trainers

This is a good opportunity to reinforce mediation guidelines that you are using in your training. In fact, it is very useful to go over the guidelines as they are to be used in the exercise setting.

One of the benefits of this exercise is that for many participants it helps to highlight the need for critical self-analysis. It helps to build the skill of introspection when dealing with issues of cross-cultural conflict, racism, sexism, ageism, abuse of power and other difficult dynamics. It provides a chance to practice thinking through and sitting with thoughts before speaking. It will help you deal with your own emotions and feelings as a facilitator that otherwise may harm the process if not recognized as your own “issues.” The trainer’s personal understanding of the usefulness of this exercise is critical, otherwise it can fall flat. Speak to the participants about how you value introspection, using examples from your own experience.

Here are just a few examples of critical introspective thoughts that may arise:

- Why am I having these feelings well up in me as I hear this story?
—Personal resonance with story being heard.
—I don’t know it all.
- Why is this person’s experience so different than mine?
—You mean I’m not the only one who feels this way?
—Others from your own experience.
- Why do I feel the need to solve this person’s problem?
—This storyteller has a different way of seeing the world than me/the other party.

Given the feelings and values of the storyteller, as the facilitator how do I make sure they are honored in the process?

The Listening Exercise: Preamble to Participants

This fast-paced life and society we live in does not often allow for respectful dialogue, but we do a lot of debating and arguing. As we know in the mainstream justice system, there is a focus on the facts of a conflict. Whoever can manipulate the facts toward their cause and can dominate the conversation often wins the argument.

This exercise serves more than one purpose. The first purpose is to give one another undivided and focused attention—it gives you a chance to tell a per-

sonal story and allows you to practice listening and hearing skills. The exercise is also designed to help develop a different kind of listening, one that pays attention to what matters most to the person speaking. It helps the listener build a heart/soul connection with the speaker. Lastly, it provides an opportunity to practice internal reflective skills and get a sense of their importance in the work of restorative justice.

Although we know that facts are important, this exercise will focus more on two other aspects of conflict: We will be listening for the feelings and values of a story.

Exercise Description

The three roles in this activity are: 1) Storyteller, 2) Listener, and 3) Hearing Observer.

Please take about five minutes to share your story, a few minutes to hear back from the listener, and then an additional few minutes to hear from the hearing observer. In order to give each of you a turn to *play all three roles*, we'll have 45 minutes for this activity. We will then reconvene to debrief the exercise.

The trainer will circulate to assist where needed and help in time management.

What is required of each role

1. The Storyteller: Telling your story.

(Note to trainers: The question for the storyteller is vital. It is your role, as trainer, to ensure that the question used is relevant to the training situation, given that folks need to connect with their own experience around conflict and become aware of their own inner work, worldview, values and feelings.)

Some ideas for the question:

- Tell a story about when you have been in a conflict.
- Tell a story where you have experienced restorative justice.
- Tell a story of your personal involvement in a conflict that ended poorly that you now wish was dealt with restoratively.
- Articulate an aspect of the last couple of days of this training that has affected you in a profound, personal way.
- Tell a personal story as to why you feel that we need to deal with conflicts in a restorative way.
- If there is a personal story of why you are here at this training, please tell it.
- Others that seem more relevant to the particular training.

2. The Listener: Hearing the story.

It is your job to listen to the story without interrupting. Resist the desire to fix, self-identify with the story, etc. Listen for these two elements: feelings and values.

Keep in mind that people don't often clearly communicate their feelings and values but they are implied in the story. When the storyteller is finished, relate back to the best of your ability the feelings and values of his or her story.

3. The Hearing Observer: Checking in for clarity and noticing the process.

Your job is to silently observe the dynamics between the storyteller and the listener. Pay attention to your own reactions and feelings. Relate your observations to the storyteller and listener after the listener shares.

Other exercise guidelines:

- This is not a test, so don't sweat it if you miss something.
- Keep the stories in confidence as per guidelines.
- Tell a personal story—not one that you've heard or read about. Speak from the heart and speak what you know.
- Be aware of appropriateness of the story.
- We will only have around ten minutes for each person to tell his or her story so make sure you can fit it all in.
- No interruptions.
- No pen and paper.

After the exercise is completed with each person having had the chance to do each role, debrief with the whole group. You might ask:

- In doing this activity, what did you notice?
- What stood out for you?
- What was uncomfortable?
- What felt good?
- What lessons could we take from this activity that might be useful for when you are a facilitator, considering a case, or developing a program?
- When in the role of the storyteller, how did it feel? As listener?
- In the role of the hearing observer, what did you notice about your own reactions and feelings?
- As the hearing observer, what did you notice about the dynamics between the storyteller and the listener?

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Cooperation Skills

Ron Kraybill

Cooperation involves two seemingly contradictory movements: asserting self and supporting another. One asserts one's own needs and interests, and at the same time supports the needs and interests of others. The challenge is to do them simultaneously, since they operate like a push and a pull. Many people are skillful at one of these; few are skillful at both. The combination is remarkably effective. With practice anyone can learn it!

Supportiveness Skills (listening)

1. Paraphrasing
2. Openness
3. Agreement Stating

Assertiveness Skills (speaking)

1. I-Messages
2. Preference Stating
3. Purpose Stating

Supportiveness Skills: The "Pull" of Listening

Paraphrasing

Reflecting in one's own words the essence of what the speaker has said. This is the most useful listening skill in that it demonstrates one's commitment to understanding.

How to paraphrase

- Keep the focus on the speaker. "So you felt . . . You're saying . . . You believe . . ."
- Restate briefly in your own words, rather than simply parroting the speaker.
- Reflect both content and feeling whenever possible and appropriate.
- Match, to some extent, the emotional intensity of the speaker in your paraphrase.

Why Paraphrase?

- Demonstrates understanding and/or the attempt to understand.
- Clarifies the communication. (If you misunderstand, they'll correct you.)
- Affirms worth of speaker and encourages them to say more.
- Reduces defensiveness of both you and the speaker.
- Slows down a fast or angry conversation, helping to reduce the intensity of the conflict.

Examples

- "So you were really frightened when . . ."
- "You felt I was being unfair to you when . . ."
- "Let me make sure I am understanding you. You're saying you don't want that responsibility."

Openness

Communicating openness to receive more information about others' perceptions and needs, even if those may be critical or competitive. This is often important in order to clarify the situation before attempting to respond.

Examples

- "Say more about . . ."
- "Tell me what you have in mind."
- "Give me a specific example."

Agreement Stating

Acknowledging where one agrees with others in the midst of a disagreement.

Examples

- "I agree with you that . . ."
- "I can see what you're saying about . . ."
- "I share your concerns about . . ."

Assertiveness Skills: The "Push" of Speaking

I-Messages

A clear, nonthreatening way to confront that focuses on oneself rather than on the other person. It communicates the impact of the situation on one's emotions or performance.

How to Use I-Messages

- Focus on yourself and own the problem: "I . . ."
- Name the feelings: "I felt used . . ."
- Name the problem behavior: "I felt used when you put your name on the work I did."
- Describe the impact on you: ". . . because I put a lot of time and energy into that project."

Why use I-Messages?

I take responsibility for my feelings.
Avoids blaming or accusing the other.
Reduces defensiveness and de-escalates conflict.
Expresses strong feelings in a way that preserves the relationship.

Examples

“I felt angry when you told me to meet you at noon and then you didn’t come or call, because I had changed my plans so we could meet.”
“It’s very upsetting for me when you get your projects in late. I get behind with my deadlines and then others get on my case.”

Preference Statements

Communicating clearly one’s preferences or desires rather than stating them as demands or forcing others to guess. Defining oneself clearly also invites others to do the same.

Examples

“My preference is . . .”
“What I’d like is . . .”
“It would be helpful to me if . . .”

Purpose Stating

Making known one’s intentions so others do not unknowingly operate at cross-purposes. By supplying information about your aims, a purpose statement enables others to understand what you are about and, if possible, helps achieve your purpose without needless misunderstanding.

Examples

“What I’m trying to accomplish is . . .”
“I’m hoping to . . .”
“My intention was to . . .”

I-Message Exercise

1. Ask participants to stand back-to-back in pairs. Read a brief scenario after which the partners turn around and the designated partner blasts the other with a blaming you-message. The partner is encouraged to respond as she or he might in “real life.” When the voices and tension escalate, intervene and stop the exercise.
2. Then ask the partners to replay the scenario using an I-message instead. (Here, encourage them not to get “hung up” on exact wording but to focus instead on the purpose or spirit of an I-message.)
3. After several such exchanges with both partners getting a chance to deliver and receive both you- and I-messages, debrief with a focus on how people felt when delivering and receiving the two kinds of messages (i.e. focus less on the mechanics of creating I-messages and more on feelings).

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Nonviolent Action: The Importance of Dialogue

Arun Gandhi

Dialogue with the opponent is one of the most important tools in any attempt to resolve a conflict or find a peaceful solution to a vexing problem.

Mohandas K. Gandhi demonstrated this time and again in his dealings with the British power structure in India and the United Kingdom. However, he insisted the dialogue must itself be nonviolent—that is, the dialogue should never be aggressive, it should never be accusatory—and should be guided by respect, understanding and appreciation. You must respect your “opponent” just as you would expect the opponent to respect you. There should be a genuine attempt to understand each other’s positions and problems and there must be an understanding of what is right and what is the truth. It is important to note here the distinction between “possessing” the truth and “pursuing” the truth.

If nonviolence is to be understood and practiced with a genuine attempt to arrive at the truth—even if that truth hurts us or goes contrary to what we believe—then we must begin the dialogue with humility and an open mind. Gandhi never launched a campaign without lengthy dialogue either in person or through the mail.

At one point during his stay in South Africa (1893–1914), Gandhi sought dignity and rights for non-white people. He began a lengthy dialogue with the then-prime minister, General J. C. Smuts, and, when they reached a stalemate, Gandhi informed the prime minister and everyone else down to the local police precinct of his plan to defy unjust laws. After his announcement and before he could launch his campaign, the workers of the South African Railways announced that they would strike for better pay and working conditions. This would, Gandhi realized, disrupt normal life in South Africa and since this was a nation-wide strike it would also occupy the attention of the government. Gandhi decided it would be unfair and unjust to put additional pressure on the government by proceeding with his own campaign as planned. He promptly announced the withdrawal of his campaign until the strike was settled.

The leaders of the railroad workers’ union appealed to Gandhi to join them and launch a united campaign. “We are fighting the same enemy,” they said. “Let’s do it together.”

“I am not fighting any enemies,” Gandhi responded. “The government is our friend; we have a misunderstanding and that can be cleared up only through dialogue and a change of heart.”

The workers could not understand this logic. How can a government that is oppressing you be a friend? This was very alien to them. They believed, as we do today, that those who are with you are your friends and those who are against you are your enemies. Gandhi believed if we begin to treat people as enemies, then we sow the seeds of conflict and violence.

The result of the strike was unfortunate. Since the workers looked upon the government as their enemy and expressed their anger at them, they, therefore, became victims of their own insensitivity. There was so much anger that it did not take the police long to spark a violent incident in order to crush the movement. Within four days the workers were forced back to work without achieving anything. Later, Gandhi launched his campaign of nonviolent opposition to racial injustice and the government could not find an excuse to crush them; there was no anger and, in fact, the participants cooperated with the authorities even in getting arrested.

General Smuts, at a meeting with Gandhi, confided, “I could crush the strikers because they were so angry but I don’t know how to deal with you because you are always so considerate and kind.”

That is the key to Gandhi’s nonviolent action. It is this compassion and consideration for the opponent that gains strength and momentum through nonviolent dialogue and a genuine attempt to arrive at the truth.

Another example of Gandhi’s approach to conflict resolution and cooperation with the opponent is a unique campaign that Gandhi launched in 1916, soon after he returned to India after 22 years in South Africa.

There was a labor dispute in the Ahmedabad textile industry in Gujarat state. Since Gandhi was as much a friend of the workers as he was of the mill-owners, the workers’ union elected him their leader and Gandhi helped negotiate a deal. There were many discussions, inspections of account books and a genuine attempt on his part to understand the financial ramifications on the industry. What was unique was that since Gandhi did not consider anyone an enemy, he continued to live and dine with the mill-owners who were a party in the dispute.

At the end of several weeks of discussions, negotiations and attempts to understand one another's point of view, Gandhi realized the mill-owners would not pay higher wages even though they could afford to do so. He escalated the friendly persuasion by launching a fast unto death while still living in the home of one of the mill-owners. All through these negotiations his advice to the workers was never to attack personalities. Gandhi eventually succeeded in getting the workers better pay and working conditions.

In 1930, before Gandhi launched the Salt March, he wrote at length to the British about the injustices and the need for change. Some of his letters were ignored and some evoked a short, sometimes terse, response. But Gandhi did not lose his head. He persisted firmly but respectfully. Finally, when Gandhi realized that the dialogue was going nowhere he informed the British authorities that he was going to break the law prohibiting the manufacture of salt.

The British officials laughed, "Is Gandhi going to bring down the British Empire with a pinch of salt?"

Yet, that is just what happened and it was mostly because of the respect and understanding that he continued to have toward the British.

Launching a *satyagraha* (sut-yah-gra-haa) campaign must always be the last resort, never the first. Before fasting or starting a campaign, Gandhi exhausted all

possible avenues of dialogue and then, only after he informed everyone of what, where, how and why he was going to do whatever he planned to do, would he launch a public campaign.

Gandhi coined the term *satyagraha*, which combines two Sanskrit words—*satya* (truth) and *agraha* (pursuit of). Thus *satyagraha* means the pursuit of truth. This change in terminology came about through a process of evolution. At first Gandhi called his movement "civil disobedience"—much before he read Henry David Thoreau's treatise bearing the same title. He rejected this when he realized there was nothing "disobedient" about seeking justice and equality. His next choice was "passive resistance," which later was rejected because he realized there was nothing "passive" about his movement. *Satyagraha* covers every aspect of human life and struggle and, if practiced with understanding, expresses one's innermost agonies succinctly.

The fact that many modern nonviolent movements have not always succeeded is largely due to a lack of understanding of the whole philosophy. Some in the movement hold the belief that a nonviolent struggle, like the planning of a violent war, has to be shrouded in secrecy and non-cooperation. Gandhi revealed to us that just the opposite is true.

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Dialogue vs. Debate

Episcopal Church Center

Dialogue	Debate
The goal of dialogue is increased understanding of myself and others.	The goal of debate is the successful argument of my position over that of my opponent.
I listen with a view toward understanding.	I listen with a view of countering what I hear.
I listen for strengths so as to affirm and learn.	I listen for weaknesses so as to discount and devalue.
I speak for myself from my own understanding and experience.	I speak based on assumptions made about others' positions and motivations.
I ask questions to increase understanding.	I ask questions to trip up or confuse.
I allow others to complete their communications.	I interrupt or change the subject.
I concentrate on others' words and feelings.	I focus on my own next point.
I accept others' experiences as real and valid for them.	I critique others' experiences as distorted or invalid.
I allow the expression of real feelings (in myself and others) for understanding and catharsis.	I express my feelings to manipulate others; I deny their feelings as legitimate.
I honor silence.	I use silence to gain advantage.

Questions to ask myself if I am having trouble staying with dialogue

Am I honoring my own experience as valid . . .	or am I feeling defensive about it?
Can I trust others to respect our differences . . .	or do I suspect others are trying to force me to change?
Can I trust myself to be permeable and still maintain integrity . . .	or do I fear that really hearing a different perspective will weaken my position?
Am I willing to open myself to the pain of others (and myself) . . .	or am I resisting pain that I really have the strength to face?
Am I open to seeing God in others . . .	or am I viewing others as the enemy?

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Thoughts on Dialogue

Joseph Phelps

Dialogue embodies the teachings of Jesus. It is loving, strong, intentional, risky, and redemptive. It is a hopeful tool in the hands of people of faith. It will not resolve differences. It does, however, give us a way to address them in the manner of our Lord. Ultimately, dialogue depends on a trust in Someone beyond ourselves.

Definitions of Dialogue

- The coming together of persons who desire to learn and grow in the truth through building on the insights and observations of another, particularly an adversary.
- An ongoing conversation between Christians of differing convictions who recognize their human limitations and who believe that God can use the various moral and theological conflicts to teach and reform the church for holy living.

What is Needed in Dialogue

Teamwork

Personal convictions and assumptions are offered as resources or tools to be used by the entire team of dialogue participants . . . with the hope that new light and truth will come forth. At least for the duration of the dialogue, adversaries become allies, working together to break new ground. Objections will still be raised, disagreement based on nonnegotiable convictions will still hold firm, but the tone is different. The goal is changed from conquering to growing, from silencing to knowing, from telling to asking. Questions are employed as tools for probing, not weapons for stabbing. New possibilities are considered.

Trust

- *In one's own position.* A confidence in one's personal worth that transcends the correctness of the position he or she holds. This trust is essentially an inner strength, or we may say, a basic trust in God who grants all people worth regardless of the coherence of their convictions on a given issue. Without self-trust, the questions and challenges posed by an adversary will create suspicion and defensiveness in ill-equipped participants.

- *In the dialogue partner.* This is a new and startling experience, similar to Jesus' invitation to lose one's life in order to find it. In the process of dialogue, participants come out from behind the safety of carefully crafted defenses and diplomas in order to expose themselves and their ideas to the scrutiny of both self and the other, and to pledge to do the same for the other.
- *In the process of dialogue.* We will subject ourselves to the work and vulnerability of dialogue only if we have some hope of its rewards. We take the risk because of the promise of growth that can come only by way of dialogue.

Desire for the Truth

There is an awareness by participants that there is more truth than they can claim to know, that the truth of God and life and eternity are beyond any human knowing. We accept the possibility that God could choose to reveal truth through our adversary, or through a new self-discovery as we reveal ourselves before the other, or through the interchange of convictions.

A Place to Argue

Dialogue depends on a kind of controlled argument in order to help analyze and clarify the issue at hand. Through argument, passion enters the conversation and is the catalyst for consistency and elaboration by both sides. Good arguments within dialogue are balanced between conviction and humility.

A Few Relevant Biblical Passages

Matt. 18:15–16; Matt. 5:38–41, 43–44; Acts 15; Eph. 4:25–27, 29–32; Col. 2: 12–13; I Cor 13: 4–8; Rom. 12:16–21; 14:1–6, 19.

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Ground Rules for Useful Discussions

adapted by Kristin Reimer

Talking about issues can bring out strong emotions because our beliefs are a large part of how we identify ourselves. Effective communication requires that you respect others and take ideas seriously—even when you think they’re dead wrong. You can respect another’s feelings without necessarily agreeing with his or her conclusions.

While there are no sure-fire rules, applying the basic principles below will make your discussions more productive, satisfying and enjoyable. Though many of these ground rules seem common-sensical, we all know that in practice they are not so commonly applied!

- Think together about what you want to get out of your discussions.
- Listen carefully to others in order to really understand what they are saying, especially when their ideas differ from your own.
- Treat each other with respect.
- When disagreement occurs, keep talking. Stay curious, rather than judgmental. Explore the disagreement. Search for the common concerns beneath the surface.
- Try to avoid building your own arguments in your head while others are talking.
- Help to develop one another’s ideas. Listen carefully and ask clarifying questions.
- Be open to changing your mind; ideally about the issue at hand, but minimally about the person(s) holding the opposing view.
- Value one another’s experiences and think about how they have contributed to each person’s thinking.
- Speak for yourself. Don’t try to speak for “your group.”
- Anecdotal stories have value because they describe our experience and can help us understand what others have gone through. But be careful not to overgeneralize from a story.
- If you feel hurt by what someone says, say so, and say why.
- Speak your mind freely but give others equal time.
- It’s OK to disagree.

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The Open Question

Michelle LeBaron

Open questions are questions that cannot be answered with a “yes” or a “no.” They have the effect of opening up discussion, of expanding issues, of broadening perspectives and of encouraging inductive thinking. The use of any type of question must be evaluated carefully in cross-cultural settings. At times and in certain settings, questions could be considered intrusive, disrespectful and inappropriate. Be aware of the cultural context and move forward with care.

Open questions may:

- Open up the options when parties seem stuck.
- Help parties to move away from a fixed position on something.
- Help parties to see things from the perspective of the other.
- Help explain the broad context in which a behavioral choice was made, making it easier to understand the behavior and enhancing trust among the parties.
- Function as an agent of reality by asking the party to look at the practical effect of his or her expressed view.
- Slow down the process where parties are engaged in a heated back and forth exchange.

Kinds of open questions:

- Probing questions* ask for more information.
- Clarifying questions* seek to sharpen the listener’s understanding of what has been said.
- Justifying questions* ask the speaker to give some evidence for the view expressed.
- Consequential questions* are used for reality testing; to ask about potential solutions or look at possible consequences.

Probing questions

These questions ask for more information. They seek to identify what it is about something that makes it important to a party. For example: “You mentioned a moment ago that when his aunt left the room, you felt you had

lost an opportunity. Can you tell me more about what you hoped would happen while his aunt was there?”

Ways to phrase probing questions

- What is it about this that concerns you the most?
- When was it that you realized how much the entire service was going to cost?
- How did you come to decide to choose another place for the next course?
- Please tell me more about how you came to feel/think that?

Clarifying questions

These questions seek to sharpen the listener’s understanding of what has been said. For example: “So, it was not so much the loss of the contract that concerned you as it was the loss of the relationship?”

Ways to phrase clarifying questions:

- When you say “the meeting,” which time are you referring to?
- You said a few minutes ago that you thought it was possible to recover part of what had been lost. Can you tell me what you meant by the word “recover”?
- You spoke of immigrants. Did you mean people who are recent arrivals, or some other group?

Justifying questions

These questions ask the speaker to give some evidence for the view expressed. They are useful when there is some incongruence between what the speaker has said and his or her body language. Use these questions with caution when dealing with parties from a hierarchical culture or organization: They may incite defensiveness or alienation. For example: “Mariel, you said a few minutes ago that you had written Agit off. Now you are talking about a continuing business relationship. Can you tell me how those might fit together?”

Ways to phrase justifying questions:

Earlier you said _____ and just now I thought I heard you say that _____, can you tell me how you plan to move forward?

When you said you were going out of town, I thought I heard a note of finality in your voice. Just now you used the word “maybe” when I asked about your plans to travel out of town. Could you help me with my confusion?

Consequential Questions

These are questions to “reality test”; to ask about potential solutions, to look at the possible consequences of a position taken or a solution. For example: “If you go on as planned, who do you think will be most affected?”

Ways to phrase consequential questions:

How do you think the sequence will change the plan you had earlier?

Have you thought about the down side for you if the market turns before the units are built?

What do you think your response might have been if this suggestion were made by Surjeet two months ago?

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Probing and Paraphrasing Exercise

David Dyck, with Michelle E. Armster and Kristin Reimer

Objective: The following exercise is to assist you in becoming more proficient and comfortable with the vital skills of probing and paraphrasing as they are used in effective communication. The particular challenge in this exercise is to be curious rather than judgmental, and to listen well in the context of emotionally charged topics, especially when you disagree with what the speaker is saying.

Roles and Instructions

Divide into groups of three. Each person in a group should have an opportunity to play each role once.

Listener: As the listener, your goal is to use open-ended questions and paraphrasing to help you uncover the interests (needs, wants, fears, concerns, hopes) of the other party.

Speaker: As the speaker, your role is to initiate the exercise by reading one of the positional statements from the list below. It is important to pick a statement you actually agree with and have interests in. If the listener responds by using open-ended questions and listening well, please reveal your interests. However, if the listener asks close-ended, leading or adversarial questions, please react as you might, when feeling defensive.

Observer: Your role is to record the questions and paraphrases of the listener, noting body language and tone. Stop the conversation after 3–5 minutes. Assist the group in analyzing the exercise by reviewing the “transcript” together. Finally, be especially sure to “make space” for the speaker to describe how she or he was reacting/responding to the listener and why.

List of Controversial Statements

- The Bible is clear in its message that homosexuality is outside the will of God. Therefore, while we love the sinner, we cannot condone the practice of homosexuality in our churches.
- It’s hard enough in this world to find someone you love. If you’re lucky enough to find a match for your soul, why should it matter whether they are of the same or opposite sex?
- Although men and women are equal, they have different roles. There are many ways other than preaching that a woman can minister.
- God created men and women to be equal. Why is the pulpit excluded from that equality?
- The Bible says, “Thou shall not kill,” period. Abortion is killing, and even though we recognize the unfortunate circumstances surrounding some pregnancies, ending the pregnancy is never the right option.
- Issues are not always cut and dried. Although abortion is not a perfect option, rape and incest victims must be allowed to make their own choices.
- The Constitution gives every person the right to bear arms. It’s a fundamental right that can’t be taken away.
- There is no legitimate reason for anyone to possess a device capable of murder. All guns should be banned.
- There are just some people who can never be rehabilitated. It’s foolish to keep a mass murderer in jail while we work to pay for his room and board. He should receive the same fate as his victims.
- Regardless of how evil a person may seem, it’s not our place to play God by executing criminals. The Bible says, “Thou shalt not kill.”
- Now we’re supposed to say “African American.” What was wrong with “Black”? There’s no way to keep up with this political correctness.
- It’s time for white people to recognize the privilege and power that our skin color gives us. We need to be sensitive to what our brothers and sisters of color are telling us.

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Triangles and Indirect Communication

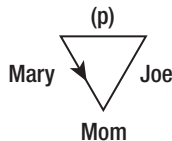
Alice M. Price and Carolyn Schrock-Shenk

Triangling

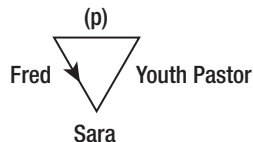
The concept of *triangles* is central to understanding communication from a systems perspective (see general systems articles in chapter six). It is a normal phenomenon. When anxiety grows in a two-person relationship, one individual will typically find a third person with whom to ally—often for the purpose of talking about the other individual or otherwise relieving the tension or imbalance in the first relationship. In families, for example, children frequently *get triangled by* or *triangle* parents. Triangling patterns in families and other organizational groups become predictable over time. Unchallenged, triangles become ingrained patterns of indirect communication.

Everyone has experienced patterns of indirect or triangled communication in the groups to which we belong.

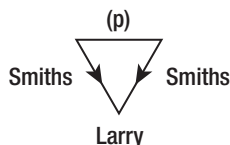
Mary always calls her mother when things are not going well between Mary and her husband Joe.



Fred is silent in congregational business meetings when the youth pastor asks for input, but never fails to talk to Sara afterwards in the parking lot.



In the Smith family, all communication of dissatisfaction with others goes through brother-in-law Larry.



De-triangling

In order for systems to change—to move from indirect communication to open dialogue and self-definition—one can resist getting “triangled in” by giving the problem back to person A and helping them to look at it constructively. Below are some helpful steps when person A is attempting to triangle you (C) into their relationship with person B:

1. Listen carefully to understand A’s story.
2. Acknowledge A’s feelings without agreeing, disagreeing or adding any of your own opinions or stories.
3. Paraphrase A’s underlying concerns about B’s actions. Why were B’s actions hurtful and what would A like to see happen in this situation?
4. After hearing A’s concerns, problem-solve together. Encourage A to confront B. You may offer to accompany A, serve as a mediator, or help find other ways to make the confrontation safe.
5. If A refuses to deal directly with B, set clear limits with A regarding ongoing discussions about the problem.
6. Do not pass on A’s story to B or anyone else. Continue to support emotionally, encouraging A to be direct with B. Stick to your set limits.

Roleplay Exercise

With a partner, roleplay a situation where someone (A) attempted to triangle you (C) into their relationship with B. You play the role of A and your partner plays you (C), attempting to follow the steps above. Debrief. Discuss how your partner’s response was similar or different from your response in the actual situation. Which response would most encourage direct communication? Switch roles and repeat the exercise.

For Discussion

What relevance does this view of triangling have in cultures that routinely use trusted third parties as go-betweens to address and resolve conflict? What might direct confrontation mean in these cultures?

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Negotiation

Mark Chupp

Everyone negotiates. Whenever two or more people need to agree on something, they use negotiation. Many tend to think of negotiation only as a formal process, with a clear beginning and ending, that involves representatives working toward an agreement on behalf of a group. Examples include contract negotiations between a labor union and management or negotiating a treaty between two countries.

The most common images in society emphasize a winner-take-all view of negotiation, referred to as *competitive* or *distributive negotiation*. One party's gain necessarily means the other party's loss. This view of negotiation is based on a *win-lose* approach that stresses aggressive maneuvers, managing impressions and manipulating information to gain advantage over an opponent. The drawbacks are obvious, as one party stands to lose everything and relationships suffer regardless who wins.

Dissatisfied with competitive negotiation, many people assume the only alternative is to see compromise as the essence of negotiation. Each party must make a series of trade-offs to reach agreement in order to arrive at some middle ground. You give a little, you get a little. While less destructive, this approach ignores many creative options and not all problems can be resolved through compromise. When two people engaged to marry want to live in two different cities, deciding to live halfway between the two may not be a viable solution.

A more creative approach is *collaborative* or *integrative negotiation*. Instead of trying to outsmart an opponent or meet them halfway, this approach searches for solutions that meet goals and objectives of both sides. Unlike competition, parties emphasize their commonalities and jointly work at resolving their differences. It implies an interdependence where both parties work together to preserve the relationship. Collaboration is based on trust and a free flow of information. Solutions emerge by dealing constructively with differences. There is joint ownership in any decisions and collective responsibility for future direction. Mediation generally utilizes this approach, also known as *principled negotiation*, which comes from the classic work, *Getting to Yes*, by Fisher, Ury and Patton (1991).

Refer to the "Comparison of Negotiation Approaches" on the following page to further distinguish distributive/competitive negotiation from integrative/collaborative negotiation. The arrow points to a continuum of negotiation approaches, because in reality most negotiation is not strictly one approach but a combination of the two.

Collaborative Negotiation

Stages (Principles) of Process (from *Getting to Yes*)

1. Identify and define the problem (separate people from the problem).
2. Identify and discuss each party's interests and needs (focus on interests, not positions).
3. Generate options/alternative solutions (generate possibilities before deciding).
4. Evaluate and select alternatives (decide on objective criteria or standards).

In distributive negotiation, parties are encouraged to approach any negotiation with a bottom line or preconceived notion of the worst acceptable outcome. Without disclosing their bottom lines, parties are encouraged to reject any proposal below that line. While considered a way to protect a party's vital interests and needs, bottom-line thinking is rigid and may be based on inaccurate or arbitrary information.

Fisher and Ury invented a more powerful alternative to the bottom line, coined BATNA (Best Alternative To a Negotiated Agreement). Used in integrative or collaborative negotiation, parties should consider their BATNA prior to entering into negotiation. The negotiation must then produce something better than your best alternative in order to be acceptable. Power comes from the ability to walk away from a negotiation. The way to increase your power is to further develop any opportunities for an alternative settlement. Fisher, Ury and Patton state that "developing your BATNA thus not only enables you to determine what is a minimally acceptable agreement, it will probably raise that minimum" (p. 106). For example, knowing the salary and benefits of an alternative job offer increases your ability to negotiate for the salary and benefits you want at the job you want.

Finally, Fisher, Ury and Patton suggest seven strategies for dealing with perception problems that often arise in the midst of negotiation.

1. Try to see from the other's perspective.
2. Don't deduce the other's intentions from your own fears.
3. Avoid blaming the other for the problem.
4. Discuss each other's perceptions.
5. Seek opportunities to act inconsistently with the other's misperceptions of you.
6. Give the other a stake in the outcome by making sure they participate in negotiation.
7. Make your proposals consistent with the principles and self-image of the other.

These stages and strategies of principled bargaining work ideally when both parties come to negotiation with a collaborative approach. They also work, however, if you use them unilaterally, and can become contagious. The other party might start out with the low-trust competitive approach and be persuaded by your openness and focus on interests instead of positions. Asking questions to find out why they hold their position will lead to an exploration of their interests and needs, and soon to a joint brainstorming of options to meet both parties' interests.

Reference

Fisher, Royer; Bruce M. Patton and William L. Ury. 1991. *Getting to Yes: Negotiating Agreement Without Giving In*. 2nd ed. New York: Houghton Mifflin.

Comparison of Negotiation Approaches

Distributive or Competitive Negotiation		Integrative or Collaborative Negotiation
Zero sum game (win-lose).	Content	Joint gain (win-win).
Each party focuses exclusively on their own self-interests.	Parties' focus	Enlightened self-interests (your interests in light of the other's interests).
Hard (unfriendly).	Relationship	Soft (friendly).
Maximize your own gain, minimize loss. Emphasize differences in goals and interests. Quantitative versus relational goals.	Goals	Both parties gain in light of diverse and common interests, separate and interdependent needs. Emphasize common goals and interests. Include both quantitative and relationship goals.
Rigid (confrontational).	Identity/Face-saving	Flexible (supportive).
Withhold data and conceal information, use it selectively and strategically.	Flow of information	Create free and open flow, full disclosure of relevant information.
Start extreme, concede slowly; manipulate intentions, resources and goals; resist persuasion; convince other you can give no more. Perceived as logical, step-wise progression.	Process	Build trust; identify each other's interests; creatively maximize joint benefits; expand perceived limited resources; generate and evaluate options; make a joint decision.
Military maneuvers (the best defense is a good offense).	Metaphor	Group lost in the wilderness (group survival).
Biased toward confrontation (threatens relationship). Against responsiveness and openness. Encourages brinkmanship (to the point of danger). Difficult to predict other's responses. Overestimation of payoffs of competitive (e.g., legal) action.	Disadvantages	Biased toward cooperation (compromise). Avoids confrontational strategies. Over-sensitive to others (easily manipulated). Requires skills and process knowledge. Requires confidence in one's own ability to assess situation and perceive others.

How to Confront

David Brubaker

Suggestions for More Effective Interpersonal Confrontation

Very few people enjoy confronting someone else. Even fewer relish being confronted. A primary reason is that our experiences in confrontations have often been very painful. For that reason, most people tend to avoid confrontation at all costs. The result is that unresolved issues fester because no one is willing to deal with them. These “suggestions” are intended to offer guidance in knowing when and how to confront.

When to Confront

Not every issue on which you disagree with someone else merits confrontation, but some do. Not every relationship matters enough to you to justify the emotional energy of confrontation, but some do. A good rule of thumb: When you care a lot about both the issue and the person, it may merit confrontation.

Plan the Confrontation

Effective confrontation requires planning. Think through how you will approach the person, what you will say and how the person might respond. The goal is to prepare yourself mentally and emotionally for the confrontation, not to become obsessed with all the possible nuances.

Seek a Safe Environment

The confrontation will more likely result in a positive outcome if the environment feels “safe” to the person you are confronting. Examples of “unsafe” environments: in front of a large group of people, or across from your desk if you are the person’s superior. Try to find more informal, neutral or “home” turf for the person you are confronting.

Ask Permission

Most people will respond better to confrontation if you allow them the opportunity to help schedule it. Some personality styles insist on this, and will respond negatively with a demand to “talk about this issue now.” A better approach: Inform the person that there is an important issue that you would like to discuss with him or her. Ask when would be a good time to get together

and talk about it. The person may respond, “Let’s do it right now,” but will nonetheless appreciate the opportunity to have declined.

Be “Hard on the Issues, Soft on the Person”

When confronting, it is important to be open about the issues that concern you. “Beating around the bush” is often perceived as manipulative and confusing. But dealing clearly with the issues does not mean you also have to be hard on the person. It is often helpful to (honestly) affirm things you appreciate about the person even while you are identifying issues that concern you. If you are in a long-term relationship with that person, affirm your ongoing commitment to that relationship.

Own Your Feelings and Beliefs

During the confrontation, speak for yourself, not for others who aren’t there. It is particularly unhelpful to say things like, “Everybody else feels this way about you but doesn’t have the courage to tell you.” Instead, own your own concerns through the use of “I-Statements.” An example: “I felt angry and confused last Thursday evening when you said that no one in our group cared about you. I care a lot about you and it hurt me to hear you say that I don’t.”

Be Honest About Your Own Preferences

The general reason for confronting is that we are hoping for a change of behavior in the person we are confronting. Thus, it is generally helpful to be honest about your own preferences, rather than to leave the person guessing as to what you are hoping to see. An example of a preference statement:

“I would prefer that in the future you come to me personally when I do something that concerns you. I’ve found that I respond best when I’m confronted one-on-one, rather than in front of a group.”

Be Prepared to Listen

Any time we confront someone we are asking them to take seriously our concerns. Often these concerns are issues of a personal nature about which the person may feel very strongly. Thus, it is essential that we be prepared to listen to the person after we have shared our

concerns. A possible way of helping this to happen: “Thanks for listening so carefully when I shared my concerns with you. I don’t expect you to instantly agree with everything I said, and really want to hear your perspective. How do you think and feel about the things I’ve said?”

Accept Confrontation as a Normal Part of Life

While few relationships need daily confrontation, it is inevitable that in most caring relationships confrontation will occasionally need to occur. Once it has, accept it as part of life. It would be unhelpful to try to pretend that it never occurred, or refuse to talk about it later. In fact, the person confronted may need ongoing opportunities to talk about the issues that were identified in the initial confrontation. At a later meeting, you may wish to offer this opportunity. “Thanks again for the way you listened to me the other day when we talked about X. Have you had any further thoughts since then that you’d want to share with me?”

Be Confrontable

When someone else confronts you, concentrate first on understanding their concerns. This is best done with paraphrasing, or “active listening.” Before responding to the person’s concerns, state something like: “Before I respond to that I want to make sure I understand what your concerns are. If I understood correctly, you’re concerned about X, Y and Z. Is that right?”

Of course, these considerations will not guarantee a painless confrontation. When we identify issues of personal concern, we are risking our own vulnerabilities by asking another person to be vulnerable with us. Such a process is not without risk, and there is no assurance that we will maintain control of it.

But people who have confronted with these considerations in mind report that the experience was generally more positive than they expected. When we deal clearly with issues that divide us, rather than attacking the person who disagrees with us, we often develop new insights and even a deeper relationship with the person with whom we disagreed.

For Discussion

1. What relevance do these principles of confrontation have in cultures that value indirectness?
2. What other principles might be more appropriate?

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Resources for Further Study on Communication

compiled by Kristin Reimer

Augsburger, David. *Caring Enough to Hear and Be Heard*. Scottsdale, PA: Herald Press, 1982.

A classic. Provides useful insight into listening and speaking; uses personal illustrations, diagrams, exercises, psychological principles and case histories.

Bartel, Barry. *Let's Talk: Communication Skills and Conflict Transformation*. Newton, KS: Faith and Life Press, 2000.

A workbook for group study, written for high school youth and adults. Includes a personal inventory on conflict management styles, discussion guides, personal reflection exercises, and roleplays for active listening and appropriate speaking. A leader's guide is included.

Day, Katie. *Difficult Conversations: Taking Risks, Acting with Integrity*. Herndon, VA: Alban Institute, 2001.

An invitation for members of communities of faith to engage in difficult conversations.

Fisher, Roger, and Daniel Shapiro. *Beyond Reason: Using Emotions as You Negotiate*. New York: Viking Press, 2005.

Practical and straightforward advice for using emotions to turn disagreements into mutual opportunities.

Hocker, Joyce L., and William W. Wilmot. *Interpersonal Conflict*, 7th ed. Columbus, OH: McGraw-Hill Companies, 2005.

Basic text on the components of conflict and conflict intervention. Includes excellent material on communication patterns such as triangling.

Kochman, Thomas. *Black and White Styles in Conflict*. Chicago: University of Chicago Press, 1981.

A classic in understanding cultural differences, including the impact of culture on communication patterns.

Kraybill, Ronald, Alice Frazer Evans and Robert Evans. *Peace Skill: Manual for Community Mediators*. San Francisco: Jossey-Bass, 2001.

An easy-to-read manual (leader's guide also available) geared for the non-professional peacemaker.

Lerner, Harriet G. *The Dance of Anger: A Woman's Guide to Changing the Patterns of Intimate Relationships*. New York: HarperCollins Publishers, 2005.

Reissued for the 20th anniversary, this book shows women how to turn anger into a constructive force for reshaping their lives.

Nhât Hanh, Thích. *Being Peace*. Berkeley, CA: Parallax Press, 2005.

In this reissued book, the Vietnamese Zen master and peace activist provides, among other thoughts, a look at the Buddhist system of seven practices of reconciliation.

Orbe, Mark, and Tina M. Harris. *Interracial Communication: Theory into Practice*, 2nd ed. Thousand Oaks, CA: Sage Publications, 2007.

Offers a practical foundation for dialogue on interracial communication and engages readers in its application.

Schrock-Shenk, Carolyn, and Lawrence Ressler, eds. *Making Peace with Conflict: Practical Skills for Conflict Transformation*. Scottsdale, PA: Herald Press, 1999.

A practical guide to understanding and transforming conflict based on biblical and Anabaptist principles.

Ury, William. *Getting Past No: Negotiating With Difficult People*, revised ed. New York: Bantam Books, 1993.

A book on communication and negotiation.

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CHAPTER 5
Mediation



Introduction to Chapter 5: Mediation

Although the fields of conflict transformation and restorative justice have experienced many changes, the basic construct of the mediation process has not changed dramatically. Some of the alterations can be noted in language, definition of a “successful mediation” and an understanding of who should be present at a mediation. One can also note changes in the configuration of the process. Circles, dialogues and cyberspace have become appropriate for mediation. We have also observed practitioners asking questions that attempt to bring more integrity to the mediation process. Practitioners will address power imbalances, racism, social justice concerns and other oppressions that challenge whether mediation is the most appropriate response. That is to say, is the mediation process perpetuating an injustice or is it transformative? Yet, with these and other unstated challenges, the basic stages of the mediation process have remained: introduction, storytelling, issue identification and agreement.

What is Mediation?

Mediation is a facilitated process in which stakeholders “discuss their concerns and issues and explore possible options for mutually satisfactory solutions to differences.” It should be acknowledged that this definition can be problematic in a Victim Offender Mediation (VOM) process. First, in VOM, there is usually a crime or harm that has occurred. Therefore, the concept of “differences” can be a barrier. For the one who has been victimized, differences are a moot point. Second, for the one who has offended, the solutions may not be satisfactory but may be what is needed in order to make things right. Yet a “mutually satisfactory” solution is important so that the one who offended is capable of meeting his/her obligations.

Why this Model?

In the fields of conflict transformation and restorative justice, there are three primary approaches to mediation—evaluative, facilitative and transformative. These approaches suggest the degree of involvement for the facilitator in directing or influencing the various stages of the mediation process. However, each approach preserves the understanding of the basic elements with varying definitions and/or names. For the Office on Justice and Peacebuilding, this model reflects our understanding and experience and has grown out of our faith expression. However, this model is not meant to be prescriptive. We acknowledge that culture, context and the particularity of issues may require adapting and, possibly, abandoning the model. Therefore, we suggest that this model be realized as a framework—flexible and adaptable.

*Michelle E. Armster
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Transformative Mediation

Carolyn Schrock-Shenk

Bush and Folger (1994), the authors of *The Promise of Mediation*, popularized the notion of *transformative mediation*, which is based on the premise that when we are in conflict with each other we are generally weak and self-absorbed to varying degrees:

1. We are *weak*,
 - confused and unsure, and
 - fearful and anxious.
2. We are *self-absorbed*,
 - only able to see our own needs and wants,
 - which usually makes us defensive and suspicious.

The authors believe that popular mediation has been based largely on the “Satisfaction Story,” which has reaching agreement and improving relationships

as its primary goals. Mediation, they believe, has the potential to do much more; it can transform people’s lives. Specifically, they believe that mediation can move people:

1. From weakness to *empowerment*,
 - an increased sense of personal value and strength;
 - increased self-respect, self-reliance and self-confidence; and
 - an increased capacity to handle life’s problems.
2. From self-absorbed to *recognition*,
 - an acknowledgment and concern for the situation and problems of the other; and
 - an increased ability to be empathetic, compassionate and considerate.

	The Satisfaction Story	The Transformation Story
Dispute	A problem to solve.	Opportunities for moral growth and transformation.
Success	Agreement over issues identified by the mediator.	Parties experience moral growth through empowerment and recognition with or without reaching agreement.
Process	5–7 steps directed by the mediator.	Guided by mediator but parties have ownership of process.

The mediation promoted in this manual does not fit cleanly into either of these stories but carries many elements of both. We do promote searching for agreements to specific conflictive issues if that is what the parties are seeking, and we present a variety of ways to work toward agreement. We are committed to improving the relationship of the parties both by addressing the tangible issues as well as the hurts and misunderstandings between them. We also believe that mediation can transform individuals and that what happens at the intrapersonal level affects the interpersonal level deeply, as well as the structural and cultural levels. So we also promote ways to address the deep feelings dis-

putants bring, their needs for clarity and acknowledgment and healing and reconciliation. Perhaps the real art of mediation is the ability to move between these stories depending on the needs of the disputants with whom we are working.

Reference

Bush, Robert A. Baruch and Joseph P. Folger. 1994. *The Promise of Mediation: Responding to Conflict Through Empowerment and Recognition*. San Francisco: Jossey-Bass.

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A Negotiation Paradigm

Roger Fisher, Bruce Patton and William Ury

Most mediation models draw on a paradigm known popularly as *principled negotiation* or *reconciling interests*. This model focuses the parties on interests rather than positions as the foundation for negotiation. Below, the key attributes of principled negotiation are contrasted with more adversarial and accommodating styles of bargaining.

—MCS Staff

Problem	Solution	
Positional Bargaining: Which game should you play?	Change the Game—Negotiate on the Merits.	

Soft	Hard	Principled
Participants are friends.	Participants are adversaries.	Participants are problem-solvers.
The goal is agreement, efficiently and amicably.	The goal is victory.	The goal is a wise outcome reached.
Make concessions to cultivate the relationship.	Demand concessions as a condition of the relationship.	Separate the people from the problem.
Be soft on the people and the problem.	Be hard on the problem and the people.	Be soft on the people and hard on the problem.
Trust others.	Distrust others.	Proceed independent of trust.
Change your position easily.	Dig in to your position.	Focus on interests, not positions.
Make offers.	Make threats.	Explore interests.
Disclose your bottom line.	Mislead as to your bottom line.	Avoid having a bottom line.
Accept one-sided losses to reach agreement.	Demand one-sided gains as the price of agreement.	Invent options for mutual gain.
Search for the single answer: the one they will accept.	Search for the single answer: the one you will accept.	Develop multiple options to choose from; decide later.
Insist on agreement.	Insist on your position.	Insist on using objective criteria.
Try to avoid a contest of will.	Try to win a contest of will.	Try to reach a result based on standards independent of will.
Yield to pressure.	Apply pressure.	Reason and be open to reason; yield to principle, not pressure.

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A Matter of Attitude

adapted from the Community Mediation Center

Why does mediation work? Skills and technique are important, but the mediator's attitude is an essential ingredient.

Attitude Toward the Parties

Respect is the key. Mediators need to respect the dignity and competence of each party. In doing so, mediators also acknowledge that it is the responsibility of the parties to resolve their own conflict.

Attitude Toward Oneself

Humility helps. Imagine an imaginary box to constrain one's self-importance.

Attitude Toward the Process

Keep it simple. Mediation is an uncomplicated, flexible process that makes sense. Mediators need to resist the urge to make it more complex.

Attitude Toward Conflict

Conflict is a normal, natural part of life. Mediators who interact collaboratively with people who are in conflict are modeling positive problem-solving behavior.

Attitude Toward Interplay of Emotions and Rational Thought

Legitimize feelings. Mediation allows for the safe and productive expression of feelings. Parties need to do this before they can negotiate rationally and productively.

Attitude Toward Reconciliation

True reconciliation brings healing. It may seem impossible or at least unlikely, but mediators need to be open to the possibility of reconciliation—the parties deserve it.

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Listening Skills for Mediators

Ron Kraybill

Listening skills are critical during the entire mediation process, from intake and assessment through follow-up. In addition to the following review, see chapter four as well as pages 163–164 on reframing for a more in-depth look at a range of important communication skills.

- 1. Use your body** to say “I’m listening.” But always remember to take cues from the speaker about what is comfortable and culturally appropriate for them in terms of eye contact, body orientation, touch, etc.
- 2. Use echo responses**, repeating a word or phrase spoken by the speaker. This unobtrusively focuses the attention of the speaker on things that may be unclear to you. Echo responses allow you to direct the flow of conversation without major interruptions.
- 3. Paraphrase** or restate the speaker’s views in your own words, focusing on the speaker, including both facts and feelings, and being non-judgmental. Reminder: Paraphrasing is a powerful tool for building rapport with many, but not all people.
- 4. Summarize** the basic viewpoints of the speaker as you’ve heard them. A summary is an extended restatement of the key points offered by the speaker. Use summaries to focus on the issues and solvable problems, not on personalities. In the final summary, obtain the agreement of the speaker that you have summarized both accurately and completely.
- 5. Launder** unhelpful language that parties use; ask questions that elicit more useful information and move the discussion to meaningful levels.
 - *Generalizing*: “He’s always late.” (Mediator responds: “When does he come in late? What is he late to?”)
 - *Unspecified noun or verb*: “I don’t like that sort of thing.” (“What is it that you dislike?”) “She just bugs me.” (“In what way does she bug you? When does she bug you?”)
- *Speaking for others*: “I happen to know that no one else here can get along with him either.” (“Speaking from your own experience with Mr. Brown, could you tell us more about what you’re upset about?”)
- *Attacks*: “She’s a liar.” (“You see things differently.”)
- 6. Watch for and highlight** hidden offers, commonalities and conciliatory intentions: “I can’t wait for this to be over.” (“So you are really looking for a way to put this behind you. Tell me more about what that would look like for you.”)
- 7. Be careful** with questions, since they impose your agenda on the speaker (leading) rather than allowing the speaker’s experience to structure the interaction (pacing). When possible, hold questions until the speaker has finished, then use *open* (“Could you say a little more about Mrs. Jones?”) rather than *closed* (“Who is Mrs. Jones?”) questions.

Aim for inviting, imperative questions (“Explain . . .,” “Say more . . .,” and “Help us understand . . .”) rather than interrogatives (who, why, when). As rapport builds, interrogatives become more acceptable. (See page 160 for more on drawing out interests.)
- 8. Maintain** a listening atmosphere. Be firm about the “no interruptions” ground rule. Respond to the first few interruptions and ignore later ones (instead of the reverse). If people feel they must respond to “lies,” give them pen and paper to take notes. Stay in the “I” mode and avoid you-statements. (“I’d like to remind you . . .,” rather than “You’re breaking the ground rule.”) Respond to their interests. (“John, I know you have a different perspective on this. I want to hear your view as well in a few minutes.”)

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Intake and Assessment

Sandi Adams and Carolyn Schrock-Shenk

Intake begins with the initial contact with each party. It has been said that 80% of the work of mediation is done before the parties even get to the table. The terms pre-mediation, or intake, refer to the initial conversations with potential mediation parties and can really be considered the first stage in the mediation process. When adequate time is taken to prepare both mediator and parties for the work of mediating, the fruitfulness of the session(s) together is heightened.

Listen. Listening begins immediately. Whether it is by phone or in person, the mediator or program staff member listens to and seeks to understand how each person sees the situation and why they are considering mediation. Nonjudgmental attentiveness and the ability to ask open, inviting questions are critical for assessment and for trust-building with each party. How much of each person's experience you need to hear at this stage and how long it takes varies greatly depending on the needs of the parties.

Assess the appropriateness of mediation. It is important to determine if there are any elements or dynamics that may make the situation inappropriate for mediation (i.e., if problem has no identifiable other party, if one party is not available or willing, if violence or intimidation exist between the parties, or if there are issues that are not negotiable). Referring people at this stage to other resources and services as appropriate can be your best and most successful mediation strategy.

Reduce surprises. You want to try to eliminate some surprises in the mediation session and save everyone time and frustration during the sessions. Be aware of

dynamics such as the need for language interpretation, existence of very strong emotions, or desire for the presence of support persons or party advocates. Making sure that all involved parties are identified and contacted is critical as well. This avoids the surprise—and delay—of discovering in the mediation session that someone with a critical role in the conflict situation is not present.

Educate the parties about the process. This is the time to begin educating the parties about the process. Describe mediation, including the role of the mediators and the way decisions are made; clear up any misperceptions; build commitment; and generally prepare participants for the process.

Reduce resistance. Anger, hopelessness, suspicion and fear are all common emotions from parties at this stage. It can take a long time, and lots of listening and paraphrasing, in order to get a party beyond these emotions and ready to take the step of mediation. Arguing and pressure tactics generally increase resistance. Focusing on understanding and naming underlying concerns decrease it. If it is clear that no amount of attentive listening will prepare a party, you may want to help them look at their options. You can ask, "If you don't try mediation, what do you think will happen?" Then, "If that does happen, is that okay with you?" If the answer is "yes," thank them for their time, wish them wisdom and courage, and say good-bye. They clearly are not ready for mediation or mediation may not be a good choice in their situation.

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When to Mediate?

David Brubaker and Ron Kraybill

Guidelines for Deciding When Mediation is Appropriate

The growing acceptance of mediation as an alternative means of resolving disputes has propelled the process into nearly all areas of North American society. Mediation is used in business disputes, community and family problems, congregational conflicts, victim-offender reconciliation, schools, environmental disputes, farmer-lender negotiations, international and cross-cultural conflicts and labor-management relations. Yet mediation is not a cure-all. Though mediation deserves even greater use than it is now enjoying, not all conflicts can or should be resolved by mediation. Knowing what process to use in a given dispute and when to implement it are initially the most crucial issues in successful dispute resolution.

Following are guidelines for determining if and when to choose mediation.

Mediation is not an appropriate substitute for therapy or counseling.

When one or several parties to the conflict are emotionally ill, or under so much stress that rational discussion would be impossible, mediation should be avoided or delayed. Be careful though; parties in conflict are often quick to assume mental illness or evil intent on the part of their adversaries.

This does not preclude mediation as *an addition* to professional counseling or therapy. The process of resolving differences with an adversary can contribute to personal healing and emotional well-being. One factor to weigh: Are the problems at hand unique to this relationship, or do they appear as a pattern in many other relationships for the individual? Mediation addresses specific problems well, but handles general patterns poorly.

Mediation should not be used as a coercive means to an end.

Mediation is a voluntary process (except in criminal cases). Individuals should generally not be ordered or required to participate in mediation. Reconciliation happens only by invitation. However, be clear about

the alternatives if a person does not wish to participate in a mediation session. Threats and coercion, though, are incompatible with the nature of mediation.

Mediation should not be used as a substitute for the proper exercise of authority.

When laws have been broken and/or individuals victimized, the church and/or society must act to stop the victimization. Action at this stage inevitably produces conflict, as the perpetrator is censured for his or her behavior. A rush to mediate would be inadvisable at this stage, although it may become appropriate at later stages. For example, Victim Offender Reconciliation Programs (VORPs) have successfully mediated restitution between offender and victim. However, this is only done *after* the offender has admitted to the wrongdoing.

Mediation is not appropriate when trained mediators are not available.

Mediation is a specific process that requires training and practice to learn. A person unskilled in the mediation process may be extremely useful in the roles of supporter, advocate, researcher or even discussion facilitator. However, such roles should not be confused with that of mediator. Every person can and should serve as a “peacemaker” at times, to assist two friends or family members who are in conflict. Mislabeling the experience, however, is unfair to the process, the parties and the would-be “mediator.”

Mediation should be avoided when power should not be balanced.

Mediation is effective in part because it works to balance power differentials at the table, placing the company president, for example, on the same bargaining level as the union organizer. For the vast majority of disputes, especially in a culture that values “democracy,” this is appropriate and helpful in the resolution process. In some situations or cultures it may be highly inappropriate to attempt to balance power.

Consider for example a traditional culture in which a village resident has violated a strongly-held precept of the village. According to custom, the village elders will meet to determine how to resolve the problems that

have been created. Instead, a visiting North American mediator urges the parties to consider mediating the dispute. The village elders are torn between their desire to please the visitor and their knowledge that they dare not compromise their authority. To sit down as “equals” with the offender would demean the elders in the eyes of the village. It would also wrongly imply that future violations of this nature would be negotiable.

Mediation is inappropriate if the goal is repression or revolution.

Mediation is appropriate for resolving community conflicts if all the parties are seeking middle ground. However, mediation can be misused to maintain the status quo.

Given the effectiveness of mediation in resolving disputes, the process may be contraindicated if used too early with surface issues that do not resolve the root causes of conflict. Minority or subordinate groups would be especially prone to misapplied mediation.

John Paul Lederach has often suggested during training sessions that a “mediator’s nightmare” would be someone mediating the dispute between Rosa Parks and the Montgomery bus company which tried to force her to give up her seat in the 1960s. Without the opportunity to gain recognition through a conflict-producing act of resistance, subordinate groups can be further hampered even by well-meaning mediators.

These six instances are not intended to be a complete list. Nor do we suggest that such cautions will serve as complete guidelines in any situation. Our primary purpose is instead to caution that mediation, like any other process, is not appropriate to *all* disputes.

Additional information on screening cases for mediation and special areas for concern is included in chapter seven.

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Mediating Intercultural Relationships

Roberto Chené

When bias reduction and conflict resolution intersect well, the focus of the conflict resolution process is primarily on the human relationship and secondarily on the conflict resolution process. Someone who is too biased or too scared has to rely on the mechanics of the agenda or the formula of the conflict resolution process. In a worst-case scenario, particularly in intercultural work, the mediators' bias or fear can negate their effectiveness and they can actually become part of the conflict.

In intercultural settings, people of color are looking for the behavioral and verbal clues that communicate that the mediator is willing to be in relationship. Between people of color and white people, bias that is not overtly expressed may come across as aloof or cold behavior, which can communicate, "I do not want to get involved with you." The bias and aloofness, of course, can run both ways. The reconciliation, though, for everyone is found in a willingness and ability to be in mutual relationship.

Coercive Assimilation

From my point of view the mediator, to be most effective, needs to understand the legacy of coercive assimilation—what that means in practice, and what that means to various populations in the United States. By coercive assimilation (I emphasize *coercive* because our system teaches the myth that the process is benign), I mean dynamics that have locked us into totally unworkable one-sided relationships where some of us have been historically oppressed into being like others.

A mediator can help bridge some of the conditioned polarization in the room by their ability to help the participants balance task and process. In intercultural problem solving and conflict resolution, getting to task is often a number one priority, what I call a *dominant culture* agenda—very tight, very task-oriented. It says by its structure that the task is more important than the community. If biases crop up or a participant gets enraged about something, the mediator says, "We don't have time to deal with that now; we'll look at that later." But the participant is already feeling it and thinking it. The mediator has asserted his or her own power and silenced the participant's voice by not going in the participant's

direction. Eventually, the participants are ready to hang the mediator (who may be a person of color; we all live in a dominant culture and can take on its character).

Making Relationship Top Priority

Getting to process or relationship should also be a number one priority because of the need to bridge these patterns of dominance and subordination (in the form of assumptions about what is important and how things will happen) in which the parties in the room are already locked and in which will play out in the room in a free flow manner unless the intercultural relationship is facilitated. If relationships are not made the focus of the work, then completing the task at hand will be number one because deadlines, meeting real needs, and so on—what I consider time oppression—dictate that it be number one.

The common tendency is to treat getting to task as the number one priority and the process or relationship piece as secondary. The mediators' biases or fears can cause them to focus on tasks because that feels easier than relationship. Aligning task and process this way, as one and two, is a dominant cultural approach. What I see happen repeatedly when I'm called in to mediate (sometimes too late) is that the de-emphasis of relationship building starts to alienate the people of color from the reconciliation process because a critical part of who they are gets squeezed out of the agenda in the urgency of getting to work.

More Than Good Intentions

In general, people of color have great awareness and skill in understanding people of the dominant culture who generally don't have a similar ability to understand people of color. There is an *understanding deficit*. So often we encounter defensiveness from mediators of the dominant culture; they don't know that they don't know. They tend to think that good intentions are enough, but there is a profound lack of knowledge. If we all apply some good conflict resolution skills and some ventilation and healing, we can all manage our discomfort and reveal what we need to know about each other.

Fear of conflict is a major problem. As soon as people of color sound too angry and white people get too scared, polarization takes over the room. Dialogue becomes an exercise in academic futility, with everyone pretending to work it out. Our biggest problem, as people who do conflict resolution, is that conflict scares us. We pretend to be in charge. It would be a breath of fresh air to admit our fears to each other.

From the perspective of people of color, conflict is institutionalized—it's just a question of when it flares up. If you're surprised when it flares, you don't understand the nature of conflict. Often, a white mediator with good intentions will be surprised when his or her attempt to do good "on behalf of" people of color results in conflict. Such mediators don't understand the dominance and oppression with which people of color live.

The fear of conflict can cause people to put together interventions that protect them, framing agenda topics to steer away from the real conflict, using a dominant culture agenda so it looks like something's happening when it's actually an avoidance of conflict. We can train people in conflict resolution and they can still avoid the rage of people of color because that's the scariest issue. When that rage is expressed, the mediator can say it is outside the scope of the work. If an intervention is avoiding issues of difference and rage around difference, it is inauthentic conflict resolution. It's a sham. The mark of good conflict resolution is its capacity to elicit rage in the room and to teach people how to direct it.

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Working Assumptions for Intercultural Mediation

Roberto Chené

- Some degree of conflict is inherent in almost any intercultural setting where relations between cultures have been socially institutionalized according to a dominant-subordinate dynamic.
- When working with members of diverse groups, conflict is a given when the goal is to create an intercultural community.
- Because cultural conflict is deep-seated and structural, we are all, by definition, already participants in the conflict.
- Without education, training and participation in a forum designed to bridge cultural differences, it is difficult for many people from the dominant culture to perceive the need for or develop the skills to help create a multicultural community based on equality.
- Members of minority cultures—without an opportunity for communication with members of the dominant culture in which they feel that their point of view has been heard and taken seriously—are unlikely to give up their anger or have any desire to create a multicultural community.

Relationship Requirements for Conflict Partners

- Commitment
- Flexibility
- Persistence
- Ability to tolerate discomfort
- Ability to give positive instruction
- Ability to take instruction
- Ability to listen to anger
- Ability to curb anger
- Ability to nourish support for self (eliminate isolation)

Common Barriers to Intercultural Mediation

- Fear of retaliation
- Reluctance to hurt other's feelings
- Fear of one's own anger
- Fear of intercultural conflict
- Fear of starting a conflict that can't be controlled
- Actual reluctance to share power
- Mediator discomfort and anxiety

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The Use of Co-Facilitators

Lorraine Stutzman Amstutz

adapted from Alice M. Price

We strongly encourage the use of co-facilitators whenever practical. There are advantages for both the mediators and the participants.

Co-facilitators are especially critical when there are:

- issues of race, ethnicity, gender, class, age;
- crimes of severe violence; and
- multiple participants.

Advantages of co-facilitation

- Having a co-facilitator eases the load, particularly in cases where there are multiple participants and serious and difficult cases.
- Tasks can be divided between co-facilitators (e.g. making initial phone calls and follow-up phone calls to participants).
- A co-facilitator can intervene if one facilitator loses track of the process or is tending to one participant during a particularly stressful time of the meeting.
- Provides an opportunity for a less experienced facilitator to be paired with a more experienced facilitator.
- Chances are greater for participants to develop a level of trust with at least one of the facilitators.
- Co-facilitation provides opportunities to represent diversity necessary for the process.
- Co-facilitators model collaborative approaches for the process.
- Sessions can be de-briefed more easily and strategies for next steps planned.

Disadvantages of co-facilitation

- Schedules can become more complicated when working with a co-facilitator.
- If there is a charge for the process, it can be more costly when using co-facilitators.
- Co-facilitating with someone you don't know can be a frustrating experience until you learn one another's style.
- One facilitator may feel that their co-facilitator is inattentive and letting them do all the work while the other's perception may be that their co-facilitator is dominating the process.

Questions to consider when planning with a co-facilitator

- Will one person be the lead facilitator or will you both equally share the role?
- How will you share preparation responsibilities?
- How will you share the dialogue facilitation responsibilities?
- How are you going to respond to differences that arise between you?

Ideas for co-facilitators

- Together you develop a process for both the preparation and joint meetings.
- Decide who will lead each part of the process.
- Discuss your levels of comfort about one facilitator interjecting even though the co-facilitator is leading.

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A Mediation Process: An Overview

Ron Kraybill

Mediation is a process designed to meet the needs of the disputing parties. The intake process and getting people “to the mediation table” are critical, often challenging events, and precede the process below.

The steps below are fairly standard but include a bias toward the need to include personal and relational issues. While it is presented here as a linear process, it rarely is. Most mediations will cycle through the various stages a number of times, and sometimes not in a particularly logical order. It is also presented as a very formal process. Much interpersonal problem-solving and informal third-party assistance follows similar kinds of steps. This is a “map,” from which all of us can, and should, deviate as the situation requires. Page numbers, following the heading, indicate the manual page on which this topic is more specifically addressed.

Introduction (by the mediators) (page 149)

- Greeting/affirmation/seating/logistics.
- Describe the process and the role of the mediators.
- Establish ground rules.

Storytelling (page 150)

- Each party describes the situation from their viewpoint.
- Mediator summarizes each one’s perspective after they speak.
- Listen for key issues/concerns, feelings, and commonalities.

Identifying Issues (page 154)

- Mediator lists joint issues.
- Check with all parties to make sure list is inclusive.
- List can include less tangible relationship issues as well as tangible, concrete ones.

Problem-solving/Healing (page 156)

- Choose one issue and ask each participant to describe the related problem in more depth.
 1. Help participants discover the interests under their positions; what matters most to them.
 2. Encourage parties to generate options jointly.
 3. Note commonalities whenever possible.
 4. Encourage parties to examine and be open about their feelings.
 5. Encourage constructive communication (I-messages, active listening, empathy, etc.).
 6. Help parties focus on the future (“How can we relate peacefully?”) rather than getting stuck on the past (“Who was right/wrong yesterday?”).
- Most conflicts include both tangible issues and relationship issues, which ones need to be addressed first will vary.
- Encourage and acknowledge moments of individual empowerment and/or recognition of the other.

Agreement/Resolution (page 168)

- Be specific about concrete agreements—who does what, when, and where.
- Be balanced and nonjudgmental.
- Address approach for future problems.
- Intangible, relationship actions can be noted/summarized in addition to the tangible agreements or in place of them (apologies, acknowledgment of responsibility, affirmation, etc.).

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Introduction Stage

Ron Kraybill and MCS Staff

The opening minutes are critical. People generally arrive with a history of poor communication and a breakdown of trust. They are often anxious, fearful, suspicious of each other and uncertain about what the next few hours will hold. Thus, mediators have the opportunity to set the atmosphere for a different way of being and relating that is much more important than getting all the suggested components exactly right.

Specifically, mediators can set an atmosphere of:

- respect (of each other, of the disputants, of their conflicts, etc.);
- calmness (a non-anxious presence); and
- confidence (a sense of purpose and order, not arrogance).

Before Parties Arrive

1. Have newsprint, markers, paper and pencils available.
2. Check signals with your co-mediator.
 - a. Who, if anyone, will take the “lead” role.
 - b. How will you divide tasks: various stages; note-taking; process vs. task focus; etc.
 - c. Anticipate any special difficulties in this mediation session.
 - d. Discuss personal mediation styles, including ways to increase collaboration.
3. Check the environment. (Is it neutral territory?)
 - a. As comfortable and informal as possible.
 - b. Arrangements—table or no table.
 - c. For private meetings.
 - d. Needs: tissues, bathroom, beverages, waiting and smoking areas.

Opening Statement

1. Welcome and introductions—set appropriate tone. Consider spiritual and/or cultural rituals, prayer, silence, readings, humor, etc. for centering and release of anxiety.
2. State the purpose and affirm parties for their willingness to use mediation.
3. Process:
 - a. Each person will describe the situation from his or her perspective.
 - b. Mediators will summarize and help parties create a list of issues to address.
 - c. Discuss the issues one at a time.
 - d. Work to reach agreement or other closure; or identify next steps.
4. Mediators’ role:
 - a. To help parties talk to each other and find their own solution.
 - b. Not to decide right and wrong, or tell them what to do.
5. Mediator confidentiality, including any exceptions.
6. Taking a break:
 - a. Parties may ask to take a break at any time.
 - b. Mediators sometimes take a break.
 - c. Sometimes meet separately with each party (caucus).
7. Ground rules/guidelines:
 - a. Mediators ask both parties to agree to listen when the other person speaks.
 - b. Add additional ground rules as needed and appropriate.

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Storytelling Stage

Ron Kraybill and Carolyn Schrock-Shenk

Goals

- To build rapport and trust with both parties by modeling empathy and respect regardless of beliefs, words or conduct.
- To summarize concisely the essence of each party's perspective.
- To listen for key issues, feelings and commonalities.

Process

- Each party describes the situation from her or his perspective while the other party and the mediators listen.
- Mediators briefly summarize as each party finishes. Include: general story, main concerns and feelings.

Who Goes First?

Mediators use a variety of ways to determine which party tells his or her story first. One is to begin with the party that initiated the complaint or made the request for mediation. Another is to begin with the party who seems the most talkative and volatile, so they can let off some steam and be ready to listen when it is the other party's turn to speak. Still another is simply to flip a coin.

A Sense of Being Understood as the Primary Goal

Earning the trust of the parties is more important for the mediator at this stage than mastering all the facts of the situation. Grasping facts and the sequence of what happened is useful, of course, but if you make this your primary goal, you are likely to end up interrupting the parties with constant questions and creating an atmosphere of interrogation. Allow a speaker to finish his or her account and then raise questions or hold your questions until the problem-solving stage that follows, when you will have opportunity to deal with each issue in depth. Often, however, there are more effective ways of getting the information you need than by asking questions, as we shall see in the next section.

Questions vs. Statements

Questions are one of the most frequently abused forms of communication. In fact, many conflicts are conducted in the form of questions.

Questions are especially problematic where trust is low. They control the person being questioned, limiting the way in which he or she can respond. For this reason, they are frequently used by lawyers in courtrooms or by police in interrogating suspects. For example, "Did you or did you not . . . ?" Or, "What were you doing on the evening of March 19?" Behind the question in such settings lies a hidden agenda—to trap the speaker. Questions can of course be used sincerely, without intending to trap or interrogate others but, where trust is low, their use tends to arouse defensiveness and resentment. Even where trust is high, communication is likely to become more effective and clear if people use questions only when a question is truly needed.

The alternative is to use a statement that invites people to share information that you seek. Instead of asking questions like, "Who is Mrs. South?" "What did you do then?" "What did you do that for?" "Who, why, what, when, etc.?"—mediators can make statements that will do the job as well and create a greater sense of openness at the same time. For example, "Say more about Mrs. South." "I don't understand what you were doing when this happened." "Tell us about what happened that day." "Describe, clarify, expand, etc." "I don't understand the connection between these two events." "Please say more about . . ."

Dealing with Interruptions

A major challenge, particularly in the early stages of mediation, is how to deal with interruptions from the parties. Both sides are so eager to be listened to and so fearful that they will not be heard, that they may repeatedly interrupt the other party. It is important that mediators develop good skills in addressing this challenge, for failure to do so can rapidly lead to a loss of control over the discussion, and loss of faith by the parties in the entire process. After the parties have had a chance to see how mediation works, they realize that everyone

will be heard and interruptions usually become much less of a problem.

Be firm about the ground rule of “no interruptions.” Respond immediately to the first few interruptions and ignore those that come later, not the other way around. Have extra pen and paper handy and give them to the interrupter to make notes. For example: “Excuse me, Mr. North, I’d like to remind you of our ground rule about not interrupting. Here’s a pen and paper, maybe you could make notes of your concerns so you don’t forget them. We’ll give you a chance to respond later. Thank you. Continue now, please, Mrs. South.”

Taking Notes

Vast amounts of information pour from the lips of parties in conflict. Keeping track of who thinks what is a difficult challenge! It is sometimes tempting for mediators to take detailed notes, but this can be a great block to building trust. A mediator with his or her nose stuck in a writing pad does not convey deep personal interest in the parties. The parties need support and human contact if they are to open themselves to new and unfamiliar ways of communicating. Learn to listen for key words so you can keep writing to a minimum. If there are two mediators, another option is to agree that only one mediator will take notes at a time. This ensures that there is always at least one person giving full attention to the parties.

Dealing with Provocative Statements

Often in the storytelling stage, people say things that are highly provocative. For example, “our housing forum was going fine until these bandits sitting across the table today decided we were easy prey.” Mediators need skills to cope with such provocative statements.

- If you sense that someone is getting provoked by the account of an opponent you can say: “John, I know you have a different perspective and I want to hear your view as well in a few minutes.” Offered as an occasional aside to listening parties, such a comment by mediators can help them keep their anger under control.
- Soften provocative comments with a neutral paraphrase. For example, paraphrase “she’s lying” into “you see things differently than the way she does.”
- Often it helps to ask for specific examples. If one party says the other party is “inconsiderate and totally irresponsible,” the mediator could respond by saying: “Please give us a specific example of what you have in mind.” Specific examples move the discussion out of the category of character assassination, and into the arena of specific events where there is often more room for negotiation or “agreeing to disagree.”
- If name-calling or swearing is becoming a prominent feature of the discussion, the mediator can propose a ground rule that they be avoided, and get the commitment of both parties to observe this ground rule.
- If an emotional explosion takes place and the mediators feel they have no other means of regaining control, they can ask to meet separately with each of the parties in caucus.

Because listening skills are especially important during this stage, please see “Listening Skills for Mediators” on page 140.

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Open Questions

Barb Toews

Open questions and statements provide a non-threatening way to invite the speaker to provide more information or clarify what he or she has said.

Why open questions?

- Opens up discussion and helps people talk about concerns.
- Encourages people to think through problems on their own.
- Develops trust and rapport.
- Helps people to see things from a different perspective.
- Slows down a heated discussion.
- Clarifies and draws out information.
- Explores possible options during decision-making processes.
- Uncovers and explores underlying motivations and expectations.

Good questions are:

- Brief—the other person should be doing most of the talking.
- Few in number—unless there is no other way to obtain information.
- Asked at the right time—Questions should not interrupt the flow of “storytelling” unless there is a need for greater focus and coherence.
- Asked in a respectful way—The question “can you tell me why you believe that?” may be a good or bad question depending on your tone of voice.
- Asked in an encouraging way—a way that will invite more than just a “yes” or “no.”
- Asked out of genuine curiosity and concern.
- Use key operating words—“what” and “how.”

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Types of Open Questions

Barb Toews

Probing/Information seeking—Asks for more information

- “What is it about this that concerns you the most?”
- “Can you tell me how you came to feel that way?”
- “Can you say more about _____.”
- “What was going on for you when _____.”

Clarifying—Seeks to sharpen the listener's understanding of what has been said; pulls out specifics

- “When you say ‘the meeting,’ what meeting are you referring to?”
- “Would you please explain what you mean when you say the experience was negative?”
- “I’m not sure I understand how that affects you.”

Explaining—Looks at underlying motives

- “How does your friend leaving school with you tie into what happened?”
- “In what way would having Marty sweep your leaves make the situation better?”

Justifying—Asks the speaker to give some evidence for the view expressed

These questions are useful when there is some incongruence between what the speaker has said and his or her body language. Use these carefully as they may incite defensiveness or alienation.

- “Earlier you said you would like to meet with Sam and just now I thought I heard you say that you didn’t want to meet with her. Can you tell me how you think you will proceed?”
- “Just now you said that you are doing ok since the meeting but earlier you said that things have been pretty rough for you. Can you help me understand how you are doing?”

Consequential/Reality testing—Asks about potential solutions or consequences; used for reality testing

- “How do you think meeting with Dan will affect you?”
- “Does anyone else need to be involved in making this decision?”

Brainstorming—Looks for possible solutions

- “What are possible solutions?”
- “What are some ways that this situation could be handled?”

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Issue Identification Stage

Carolyn Schrock-Shenk

Issue identification is the critical bridge between storytelling and problem-solving and serves as an agenda or framework for the remainder of the mediation. The list of issues, created by the mediators from their listening during storytelling, can help move the parties from opponents to collaborators working on a common agenda.

Considerations

1. Identify the issues early in the process.

It is usually done after both have spoken once since much of what they say on the second round is either a deepening of their story or a rebuttal to the other's story. ("You will get a chance to talk more about that as we problem-solve together.")

2. The mediators do the listing, preferably on newsprint or chalkboard.

As the mediator listening objectively to all parties, you should be the one to list the issues. It is helpful to jot down concerns in your notepad as you hear them during storytelling so that you can summarize the list from your notepad onto the newsprint. You may feel the need to check in with your co-mediator first.

3. Create a joint list.

The list should combine the major concerns of both parties into one list.

4. Frame the issues to make them acceptable to both.

Launder the language to avoid reflecting anyone's viewpoint. For example, "responsibility for the accident" is more neutral than "Joe wrecked Ann's car." Relationship issues and attitudes are the most difficult to name in a neutral way. "Respect for each other" is more neutral than "Rob's obnoxious attitude."

5. State the issues in a simple and general way.

This will help keep the list short (three to five is good) and make the task more manageable. For example, "financial concerns" may be more helpful than "car payments," "mortgage" and "medical bills." (The latter three can be listed as sub-points.)

6. Check the list verbally with both participants.

Ask them, "If we successfully worked through all of these issues, would that take care of the problem for you?" You may need to add to or modify the list based on their responses. After agreement, move to problem-solving! It is not uncommon, however, to add an issue that emerges later in the process.

See the following page for more on issues that are able to be mediated.

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Does This Issue Belong in Mediation?

Jennifer E. Beer and Eileen Stief

Types of Negotiable Issues

Behaviors

- How people treat each other
- Sharing space
- Respecting boundaries
- Communicating about problems
- Noise
- Following through on promises and responsibilities
- The ways people do their work

Things

- Property
- Reimbursement
- Arranging payments
- Repairs
- Loans
- Maintenance

Structure and Systems

- How decisions are made
- Rules and regulations
- Procedures
- Schedules
- Job responsibilities
- Access

Concerns That Can Be Discussed, But Not Negotiated

- Beliefs
- Principles, values
- Child-raising
- Attitudes
- Anger
- Personal style
- What happened
- Hurt feelings
- Perceptions
- Management style
- Interpretations
- Prejudices
- Trust
- Blame, fault
- Right

Issues That Usually Cannot Be Mediated

- Determining the truth of what happened.
- Determining fault and punishment.
- Addictive behaviors.

- Pathological or abusive behaviors.
- Wide gap in power between the parties.
- Issues where the real decision-maker is not present.
- Issues where people who may be affected by a decision or whose cooperation is necessary are not represented.
- Issues requiring investigation and disclosure before fair negotiation can take place.
- Situations where the parties do not understand the complexities of the issues or their legal options.

Dealing with Unmediatable Issues

- Feelings, attitudes and other non-negotiable concerns often point toward negotiable issues. Reframe those pieces that can be translated into specific behaviors.
- Support expression and discussion of key concerns without trying to get agreement. When they are ready, encourage them to address the things they can negotiate.
- State that certain topics cannot be resolved, then suggest aspects or related topics you think can be negotiated. Some caution is needed here. Negotiating side issues or aspects of behavior may be pointless when the main issue remains a source of active conflict. And when the main problem is an abusive relationship or large power difference, fair and safe negotiation of side points is probably impossible.
- Ask the parties to agree on another place or method to deal with their unmediatable issues.
- Postpone the session until all necessary parties agree to attend.
- If there's nothing left to mediate, end the session. Consider drawing up a session summary.

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Problem-Solving/Healing Stage

MCS Staff

I. Mediator's choice whether to:

- initiate problem-solving (negotiating practical issues), or
- focus on healing.

This stage consists of alternating back and forth between these two tasks. No formula works—the key is adeptness in both and good timing in switching from one task to the other. Many mediators are more comfortable in one area than the other—push yourself to grow in the hardest area!

II. Problem-Solving Steps

- A. Note common goals and concerns. (Mediators can point out commonalities whenever they emerge.) See “Summarizing Points of Agreement” on page 167.
- B. Choose one issue to begin.
 1. **Easiest First.** This is useful when things are tense and trust is low. Often success on small items creates momentum for larger ones. Just the opposite of #2 below.
 2. **Most Important First.** This is difficult when tension is high but if one issue keeps cropping up, take it on rather than try to ignore it.
 3. **Alternating Choice.** Parties take turns picking issues for discussion.
 4. **Party Agreement.** See if parties can agree on a common issue with which to start.
- C. Issue-focused storytelling. Each describes in turn what's happening around that issue. “Let's begin with the exchange during the coffee break. Paul, can you describe in more detail your impression of what happened?”
- D. Identify interests. Each says what they need, what is important to them, regarding this issue; mediators can list these on board or newsprint.

E. Generate ideas for resolution:

- as many as possible;
- encourage creativity;
- no judgment or commentary; and
- help parties state what they want, not what they are against.

F. Evaluate ideas. Consider pros and cons of each option; does it meet interests?

G. Agree on solution. Choose solution acceptable to both; often a combination of several ideas. “If Alex would drop the charges, would you be willing to pay for the window?”

If you get stuck in any of these steps, move to another issue, or caucus.

III. Healing Strategies

- A. Be ready to take plenty of time; don't be afraid of periods of silence.
- B. Highlight commonalities between parties, including pain and hurt.
- C. Acknowledge feelings, especially with paraphrasing. Invite parties to elaborate.
- D. Coach paraphrasing and direct dialogue as appropriate.
- E. Highlight good intentions, offers of accepting responsibility, apologies, requests for forgiveness, etc.
- F. Affirm small steps in the healing process.
- G. Recognize the deeply spiritual nature of the interaction.

See page 158 for more on healing strategies.

IV. Reminders in this Stage

- A. It's their problem, not yours. Disputants sense quickly if you take emotional ownership for resolving things—they'll be happy to sit back and watch you sweat.
- B. You're in charge of the agenda. Be flexible, open to suggestions, but never passive about choosing or switching issues for discussion. Be prepared to say: "The issue you raise is important, but for the moment, I'd like to set it aside and come back to that later."
- C. Stay in "I" mode. "I would like to ask you to . . . It's difficult for me to keep things going when you ignore the ground rules, so I'd like it if . . ."
- D. Direct discussion between the two parties is always preferable so long as it's constructive. Look for ways to encourage it.
- E. Be comfortable with silence.

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Healing Strategies: Addressing Feelings

Ron Kraybill, as adapted by Alice M. Price

No one can heal others. Trying to do so—a genuine temptation—hinders them from finding their own true healing. The challenge and calling for mediators is to create a space, an environment, in which healing can occur and then to walk with the participants as they find elements of their own healing.

Mediators are not therapists and should not try to unravel deep-rooted personal wounds. But mediation is therapeutic and does address feelings that surround every conflict, even those that seem practical or institutional. The critical questions are whether the parties will acknowledge their feelings directly, whether that acknowledgment is needed for transformation of the conflict and when and how a mediator addresses the feelings effectively.

It is important to remember that stubbornness, rigidity, fierceness, etc., appear to come from strength but in reality come from deep vulnerability. People who intimidate are deeply wounded. Many of them know it and are actually frightened and scared behind their facade. The wounds are either: a) fears and insecurities about the current situation (appropriate to address as a mediator), or b) distant, often unconscious memories of past injuries from others; frequently childhood experiences.

Various cultures express feelings and emotions quite differently. For example, public expression of strong feelings may not be appropriate in one cultural setting. In another, high emotional expressiveness even with strangers may be the norm.

Goals of the Mediator

1. To enable people to get in touch with their feelings in ways that do not create resistance.
2. To acknowledge the feelings of both sides without implying who is right or wrong.
3. To enable parties to state their feelings directly to each other, which often provides opportunity for healing.
4. To assist parties in clarifying what they need in order to experience healing, particularly when it involves someone else at the mediation table. If the wounds lie with others, enable parties to get the help they need, including personal counseling if necessary.
5. To do all this so that if one or both parties are not ready to acknowledge their feelings and experience healing, the mediator can still remain an effective, credible assistant in resolving the more tangible issues.

Strategies

1. Paraphrase feelings.
2. Push for specifics; don't be content with generalizations. Attempting to work constructively with feelings is fruitless except in the context of specific events. E.g., "You've felt like a helpless victim in your relationships with Henry. Give us some specific examples that would help us understand what has been happening."
3. Ask people to "describe the impact of an event on you personally."
4. Interview each party about an emotional event, encouraging I-statements, and asking the listening party not to interrupt. E.g., "I'd like to take a little time to hear from each of you about what has been going on inside of you while this has been happening. I'd like to start with William. Paul, I'd like to ask you to lean back and listen for a couple minutes without interrupting. William, tell me the things you see/hear/feel when you put yourself back in that situation."
5. Coach paraphrasing. E.g., "Paul, I'd like to ask you to say in your own words to William what you understand him to be saying just now." Then, "William, tell Paul what he's understanding correctly and what he's missing."

-
6. Coach direct communication. E.g., “William, could you turn to Paul and tell him directly what you just told me.” (This is effective only when one party makes positive statements, or uses I-messages to state his or her feelings.)
 7. Use caucus to explore difficult emotions, especially if people seem stuck in a very high or very low expressive mode. Check for possible cultural dimensions to their expression level, as well as for any concerns still unspoken in the joint session. Test whether and how key feelings and concerns can be shared appropriately with the other party.
 8. Ask people to rate themselves on a scale of 1 to 10 about readiness to let go of feelings about a given experience. (1 = definitely not ready; 10 = definitely ready.)
 9. Ask people to give you some idea of what they need in order to let go of their feelings.
 10. After progress has been made in talking through feelings, invite people to say something to each other that they believe may help the other to let go of their emotions. Sometimes it helps to give ideas. Suggestions include:
 - You may wish to apologize.
 - You may simply wish to say, “I would do it differently if I could.”
 - You may wish to express appreciation for something.
 - You may wish to make a statement of commitment about the future.
 11. When people really seem stuck on feelings, tell them it’s important not to let go of them too quickly. People should hang on to deep feelings until they are tired of them and want to let go of them. Paradoxically, the mediator’s spoken observation that a person may not be ready to let go of a strong emotion, such as a need to hold a grudge, sometimes unsticks that feeling. Then the person feels genuinely free to move on to new options.
 12. Give parties opportunity to withdraw and possibly write a summary of their feelings.
 13. Encourage private counseling. Be cautious here, though. Do it only in caucus.

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Positions vs. Interests

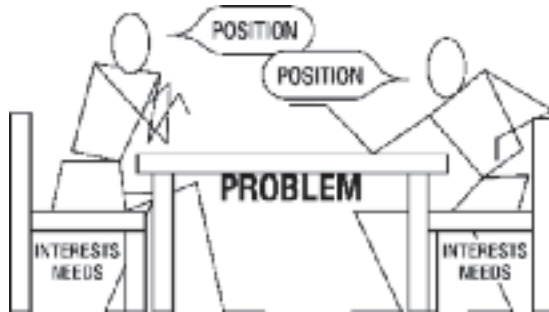
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Helping parties to focus on interests—not positions—is a critical underlying strategy throughout all stages of the mediation process. However, it gets particular emphasis during the problem-solving stage. See also “A Negotiation Paradigm” on page 138.

Understanding Positions vs. Interests

Positions

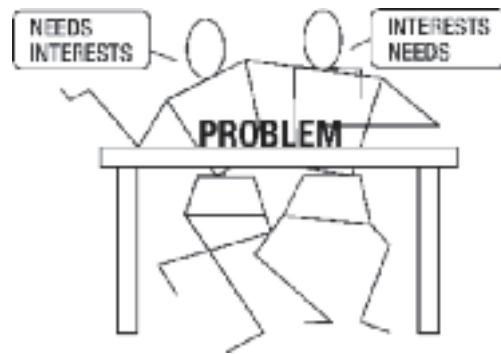
Positions are statements or demands framed as solutions. Parties in conflict naturally think and talk in “positions,” which often contain incomplete information, hidden agendas, and “bottom line” posturing. Positional bargaining leads to impasse or compromise, but rarely to creative, win/win solutions.



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Interests

Interests are broader than positions and are essentially what each party needs for satisfaction or resolution. Interests are the reasons behind the positions and they encompass such things as needs, concerns, and hopes. Interests can arise from substantive, procedural or emotional factors.



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Exploring interests helps parties in a variety of ways:

- Understanding one’s own interests increases self-awareness and personal empowerment.
- Understanding one’s own interests more clearly unlocks new ideas.
- Understanding the interests of another leads to recognition of another’s basic needs.
- Parties discover that they share many basic interests (e.g., financial security, ending of hostilities, neighborhood safety).
- Parties can often find resolution that addresses interests on both sides.

Strategies for Exploring Interests

- Make a list of each side's interests, as they surface, including basic human needs.
- Reframe locked-in positions as interests: "The dogs have to go!" becomes "You're really concerned about the noisy barking when you are sleeping."
- Ask why a particular demand is being made to draw out underlying interests.
 - "Tell me more about why that's so important to you."
 - "Say more about your basic concerns with this."
 - "What matters most here for you?"
- Ask why a particular proposal is not satisfactory, to understand their concerns better.
 - "Help me understand why you feel that's not a workable solution."
 - "Say more about what seems unfair here."
 - "Tell me how that affects you."
- Point out similar interests.
 - "You both seem very concerned that . . ."
 - "Better communication is really important to both of you."
- Test for new solutions that meet apparent interests and look ahead.
 - "Tell me what would help you feel better about that."
 - "How would you want to have that handled, if it happens again?"

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Positions and Interests Exercise

Sandi Adams

As stated earlier, positions are statements or demands made by a party as their solution. They believe this is what is needed to resolve some concern, problem or need they may have. These are the interests that mediation focuses on: what needs to be satisfied, what the party needs resolved. There may be a single interest or multiple interests driving someone's position. There can be any number of possible solutions to interests.

In mediation it is not necessary to guess parties' interests. We are able to hear and clarify them by questioning and paraphrasing. In this exercise, however, try to imagine what the interests may be.

Example:

Position:

"I must have a dishwasher in the new house."

Interests (possible):

- Wants to be sure that dishes are very clean and sanitary.
- Doesn't want to see dishes piled up in or near new sink.
- Wants to use time to do things other than chores.

Other positions:

1. "There will be no pets in this house."
2. "You can't use the car Saturday night."
3. "We won't negotiate until the protests stop."
4. "We won't stop the protests until you negotiate the working policies."
5. "My son must be in that other class."
6. "I want \$250 for the damaged wall."

How did you do? Here are some possible interests for each of the positions.

1. • To have a clean house.
 - To keep cleaning chores to a minimum.
 - To save money for other needs.
 - To have few obligations so family can travel when able.
2. • Needs to get to own event that night.
 - Concerned about safety of driving home that late.
 - Needs full tank of gas to get to a long-distance meeting early in the morning.
3. • Needs to get business going again, as soon as possible.
 - Wants to minimize likelihood that protests will be seen as a method to force change or negotiations.
 - Wants to maintain their legitimate authority.
4. • Want to assure that negotiations and changes will occur.
 - Don't want to be taken advantage of.
 - Want continued focus on concerns and visibility.
 - Want others to see strength of shared concern and effort.
5. • Believes son will do better in a smaller class; which the other class is.
 - Doesn't understand teaching methods of current teacher.
 - Other classes' schedule allows son to be in a special program that is held the same time as the current class.
6. • Needs that much money to repair wall.
 - Wants compensation for time and trouble to repair damage.
 - Wants person to take responsibility for his or her behavior.

Examples of Positions and Interests

Examples of Positions	Possible Interests
Shut the window!	Eliminate a draft; too much noise coming in, needs to concentrate.
Pay me \$500 right now, or I'll evict you!	Reliable rental income; pay own bills; needs money.
Either I pick or we don't go to the movies!	Doesn't want to see a violent film; to have a good time.
I want \$1.50/hour raise!	To earn the same as others doing same work; fairness.

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Reframing a Conflict

John Paul Lederach

A U.S. Flag in the Sanctuary

Joe's concern stated as a position:

"The flag stays!"

**Positions
are
incompatible**

*John's concern stated as
a position:*

"The flag goes!"

Joe's underlying concerns:

"The state should be respected and we should be thankful for freedom to worship."

**Ignore positions
Explore their interests**

John's underlying concerns:

"The Church is an international body and Christian allegiance should be to Christ."

Reframe the conflict

Translate incompatibilities into differences that are not incompatible

1. Joe wants to communicate:
 - gratitude for freedom to worship;
 - respect for the state as an institution ordained of God.
2. John wants to affirm that:
 - all peoples are welcome here;
 - final allegiance belongs to God, not sovereign states.

Help parties generate multiple solutions that hold potential for meeting all concerns. For example:

- Special worships dedicated to expressing gratitude for freedom of religion;
- Banners inviting all nations to worship here;
- Placing flags of all U.N. nations in the sanctuary.

Reframing Opportunities

Carolyn Schrock-Shenk

Reframing simply means responding to the speaker in a way that both validates the speaker's experience and allows her or him to move from a particular perspective and response to a potentially more constructive one.

From General to Specific

To help the speaker focus more clearly on specific actions or events underlying feelings and opinions.

- "He's the most uncooperative employee I've ever had." *Tell us about some of the ways you see him as being uncooperative.*
- "I just don't like that sort of thing." *What specific kinds of things bother you the most?*

Identifying Underlying Feelings

To identify and acknowledge the feelings that underlie the words of the speaker.

- "I can't believe they would fire me without ever talking to me or warning me." *Sounds like you're really feeling betrayed.*
- "I'm trying to do my best but I have five people telling me what to do." *That must be really frustrating. Can you say more about how it affects you?*

Laundering/Neutralizing Attacks

To validate the intensity of feelings by understanding and focusing on underlying concerns.

- "The lazy slob is always late." *Being on time is very important to you, isn't it?*
- "He's a lying traitor. There isn't an ounce of truth in what he said." *Wow. You see things completely differently.*

Identifying Hidden Offers/Points of Agreement/Commonalities

To hear, respond to and build on hints of progress and positive movement.

- "They expect me to do all this work, but they've never offered to train me for it." *So if you had adequate training, you believe you could handle the work.*

- "If he would act responsibly, I could get my work done." *What specific things from him would help you get your work done?*

Responding to Triangling Attempts (Toward the Mediator)

To validate the speaker but avoid being triangled.

- "Don't you believe what he did was totally irresponsible?" *Clearly you believe it was irresponsible.*
- "Wouldn't you be angry if she did that to you?" *I'm interested in hearing more about your anger.*

Responding to Speaking for Others

To encourage ownership of the problem by the parties present and discourage indirect communication.

- "Nobody in this church likes that family." *Could you tell me more about your interaction with them?*
- "John and Mary have had the same problem believing his stories." *Say more about the stories you have struggled with.*

Responding to Contradictory Stories

To bring clarity to a situation or to reach agreement on how to proceed from here.

- "I wasn't even there." *I'm confused; you say you weren't there, but a bit ago you talked about seeing Nakita.*
- "She keeps saying I knew about the money but I didn't." *Say more about the things you did know.*

Responding to Blaming Statements (Toward Mediator)

To avoid defensiveness or counterattack. To respond to underlying fears, concerns and pain.

- "Well, it's clear you're taking her side in this." *Sounds like you feel I'm being unfair. Say more about that.*
- "You must get off on throwing your power around here, huh?" *So you feel like I'm taking too much control here. How could we do things differently?*

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Practice Exercises for Reframing

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Write quick responses to the statements below. Try to validate the speaker, while moving toward a more productive focus. Share some of your examples with a partner and/or the larger group.

1. They're jealous, that's the problem. _____

2. That whole bunch is an irresponsible lot. _____

3. She's the most uncooperative employee I've ever had. _____

4. People around here are cold and unfriendly. _____

5. Everyone on the block has trouble with him. _____

6. That's just the way men are. _____

7. If he'd just start acting responsibly, I could take care of his old fence. _____

8. It is absolutely untrue that we're trying to create a fuss and make trouble for you! _____

9. I'm trying to do my best! But how can I get all this work done when three different people are telling me what to do? _____

10. This whole situation has been a royal pain from start to finish! _____

11. I hate this kind of bickering. If you'd just act reasonably we could solve this mess. _____

12. If you had done what I asked you to six months ago, this never would have happened! _____

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Generating and Evaluating Options

Ron Kraybill and Alice M. Price

Once underlying interests are more clearly identified, parties can be encouraged to explore multiple options for meeting their needs. Once a good range of options are on the table, various tools can be used to evaluate them in light of the underlying interests.

Generating Options

Brainstorm

Purpose:

To stimulate creativity by generating as many ideas as possible in a short period of time, unhindered by critical evaluation.

Procedure:

1. Explain the purpose, stressing that evaluation will occur later and that all ideas are welcome, both serious and nonserious.
2. Frame the problem in a how-to format: "How can money be located to pay the partnership debts without requiring a further cash investment by either party?"
3. Welcome each idea and list it on newsprint, discouraging any evaluative responses.
4. Encourage participants to "piggyback," taking previous ideas and modifying them.
5. Keep it short—five minutes should suffice.

Card Sort

Purpose:

Similar to brainstorming but less threatening for some people. Also usually less creativity-inducing.

Procedure:

1. Invite parties to jot down ideas on 3 by 5 cards or other paper, one idea per card/sheet. Generate as many ideas as possible.
2. Place cards in the middle of the table or tape sheets on the wall for review.

Variations to Broaden Input

Brainstorming or card sort by parties who are not principal disputants. When people are present who are not key actors, they can be invited to generate ideas along with or for the benefit of disputants. Designated experts (e.g., lawyers, accountants, consultants) can also be invited to fill this role. If parties are returning for another session, "homework" can be assigned to stimulate further generation and research of options.

Evaluating Options

Plus/Minus Chart

For any given option, create a chart divided down the middle. One side is for the pluses (advantages) of this option, the other is for the minuses (disadvantages). This is a simple tool for organizing discussion.

Anticipated Impact Chart

For a given course of action, list possible impact on each person involved. This helps to objectify emotions about why a course of action is or isn't acceptable. Possible impacts: feelings about self/others, time, money.

List Criteria for Solution

Before evaluating possible solutions, create a list of objective criteria for evaluating them. These criteria normally parallel the parties' deepest underlying interests. This is a good option for complex cases.

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Summarizing Points of Agreement

Ron Kraybill

People in conflict get so caught up in the heat of disagreement that they often lose perspective of the total picture. This makes the damage of conflict much higher than it needs to be; for even where people may not care for each other personally, in many situations they agree on important things, share certain values or goals, or need each other in inescapable ways. Mediators can be a powerful moderating force by helping the parties make decisions based on more than the anger and resentment they may be feeling at the moment, repeatedly reminding the parties of the things they agree upon or have in common.

Pointing Out Commonalities in Early Problem-Solving

One particularly effective time to summarize points of agreement is after the parties have agreed on the list of issues needing discussion, but before they have actually begun an in-depth discussion. After storytelling, the mediator can summarize the issues, get the parties' agreement that these were the things they wished to discuss, then summarize their commonalities:

- They may have both stated a desire to be reasonable or to get the conflict resolved.
- They are both likely to benefit a great deal from the resolution of the conflict.
- The fact that they have both been willing to attend the mediation session probably indicates a desire to resolve things.
- They may have both said that this conflict has been painful, frustrating, costly, burdensome, etc.
- They may have both talked about their commitment to the community, institution, church, party, etc., which indicates that they have common commitments.
- They may have both talked about the steps they took in the past to resolve things. Even if these failed, these efforts indicate a willingness to work things out.
- They may both be victims of the same larger social forces, such as unemployment, racial discrimination, violence, low wages, etc.
- They may have both indicated that they have made mistakes or over-reacted in the past.

It is almost always possible to identify several areas that the parties agree upon or share in common, even in the most polarized conflict. Pointing these out repeatedly throughout the discussion process is an important contribution to the emotional atmosphere of discussion. But be cautious! Pointing out commonalities:

- Is not making up nice things that aren't true. Be sure that any commonalities you talk about reflect things the parties have already said or have agreed upon or that are obviously true.
- Is not telling the parties that they don't have any real disagreements or that the disagreements aren't significant. At all times the mediator accepts that there are real conflicts. In pointing out commonalities, you are merely pointing out that in addition to the areas of conflict, there are also some things the parties agree about.
- Is not suggesting that resolution is going to be easy. On the contrary, the point is that there is hard work ahead, and that as they enter into this work, it would be helpful for the parties to remember those things that they share in common.

Your credibility as a mediator is probably your most important asset with the parties. Never lie and never exaggerate the prospects for peace. Whatever commonalities you point out have to be real and believable.

Summarizing Negotiated Agreements

As the parties begin to discuss and negotiate, small concessions are often made. The larger issues may still be unresolved and the tone of discussion may still be hostile but it is important that mediators be alert for agreements or concessions no matter how small, and summarize these as a way of improving the atmosphere.

If there is progress in the negotiations, the list of agreements gets longer and longer. By regularly reminding the parties of what they have accomplished, the mediator reduces the chances that they will fall back into attacks and recriminations. The list of agreements already reached helps establish an atmosphere of progress and cooperation that can help in addressing what may be the most emotional issue on the agenda.

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Agreement Stage

MCS Staff

While resolution can happen without reaching specific agreements, many successful mediations do result in a form of contract that addresses future actions. Any agreements reached should state clearly WHO is agreeing to WHAT, WHERE, WHEN and HOW. The disputants' wording can be used whenever possible. An effective mediation agreement should:

1. Be specific and be clear about deadlines.

Avoid ambiguous words (e.g., "soon," "reasonable," "cooperative," "neighborly," "frequent," "quiet"). Use specific words, dates and times that will more likely have the same meaning to both parties. For example, "Mrs. Wrangle and the McBickers agree to build a 5-foot high board fence along the property line between their houses. Mrs. Wrangle agrees to buy the building materials by May 8, and the McBickers agree to construct the fence by May 30."

2. Be balanced.

Ideally, both parties gain something and both give something. Sometimes naming the "intangibles" can help balance things (Kate has apologized for . . . Gerald agrees to accept Omar's payment plan).

3. Be positive.

When possible, encourage disputants to name what they *will do* in the future, rather than what they won't do or will stop doing.

4. Be realistic.

Can the disputants live up to their agreement? It is best if the agreement speaks only for the disputants themselves, i.e., actions that they personally have control over. Check wording of each item with each of the parties to make sure you are writing what they agree to.

5. Be clear and simple.

Avoid legalese. When possible, use the disputants' language. Be sensitive to the needs of parties who don't read very well or don't have a good command of the English language.

6. Name the "intangibles."

As appropriate, name acknowledgment of responsibility, statements of apology, forgiveness, affirmation, etc. For example, "Erika acknowledged that she was responsible for spreading the rumor about Monique and apologized. Monique accepted Erika's apology."

7. Address the future.

Help disputants decide how they will address problems that arise in the future. You may want to schedule a progress check-in method.

8. Be signed by everyone present.

Upon completion, read the agreement to the parties and get their responses. Does it cover all issues? Do they pledge to live up to it? Should we agree on some way to review progress in the near future? Then sign and date the agreement, and give copies to both parties.

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Some Sample Agreements

Alice M. Price

Mediation agreements can range from the very simple to the very complex in format, content and length. An agreement should be written in a style and in language appropriate to the parties. It should be drafted in a way that will be clear to them and will maximize their ownership. All agreements should be signed by the parties and the mediators. Several sample agreements are included on this page and the next.

Sample Partnership Dissolution

The parties—Raymond Herman, Hugh Herman and Frank Herman—have met four times with a mediator to seek a mutually acceptable solution for dividing a family farm partnership. At present, Raymond has a 50% interest and Hugh and Frank each have a 25% interest. The goal was to allow Raymond and his wife to continue farming, while allowing Frank and Hugh to receive a fair market value for their shares.

After discussing several different approaches and options, the parties are in agreement that the partnership should be dissolved, ideally before the end of the calendar year. The only asset of the partnership, approximately 103 acres of agricultural land and buildings, will be distributed as follows:

1. Approximately 25 acres at the west end of the ground will be transferred from the partnership to Hugh and Frank. It is understood that this land is the most readily available for development.
2. The remaining agricultural acreage and buildings will be transferred from the partnership to Raymond.
3. In addition, Raymond and his wife will transfer to Hugh and Frank an adjacent portion of personal real estate, of approximately five acres.

Raymond agrees to make arrangements to have appropriate surveying done to effectuate these transfers. He will also consult with the family attorney to have the necessary documents prepared for the land transfers, as well as for the dissolution of the partnership itself. Each party will let the attorney know exactly how they wish to receive title, whether jointly, in common, or otherwise. Raymond agrees to be the primary

contact for the family attorney in completing these transactions, but will stay in touch with Frank and Hugh as appropriate. Frank and Hugh agree to make themselves available for meetings, as needed.

If, in consulting with the family attorney, Raymond should learn of significant matters that need to be decided by the partners—especially if there is a significant benefit to arranging for transfer of the 30 acres directly to one or more developers or other third-party buyers—he will discuss this with Frank and Hugh. In this event, the parties will weigh these benefits against the time delays and other factors to determine whether their agreement should be adjusted accordingly.

In terms of the sale of the 30 acres to third parties, it is agreed that preference should be given to selling some of the acreage to the retirement home adjacent to the farm, in line with the overall market value of the land.

All costs associated with the execution of this agreement and the dissolution of the partnership shall be paid from the partnership account. It is acknowledged that this account will probably not be adequate for all the related costs, and each party agrees to pay any balance of expenses in proportion to his or her interest in the partnership.

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Sample Agreements Between Family Members or Neighbors

1. *A nineteen-year-old living with her mother.* (A balanced agreement is often a problem in family mediations involving teenagers, even in this fairly even-handed contract.)

- May Ellen agrees to be flexible about the Saturday curfew time if Ginnie calls before midnight.
- Ginnie and May Ellen agree that Ginnie will contribute \$30 per week towards rent and groceries.
- May Ellen agrees to clean up after every dinner.
- Ginnie agrees to tell her mother where she is going at night, and with whom.
- May Ellen agrees not to ask questions about Ginnie's social life.

-
- May Ellen and Ginnie agree to talk over any problems during lunch on Sunday.

2. *An older neighbor and a young family next door.* (Note that the parents do not make agreements for their children: “Jeanne and Marc agree to talk. . .” not “Jeanne agrees that Joe will. . . .”)

- Arthur agrees to return the frisbees, baseballs, and the football tomorrow morning.
- Marc agrees to pay for and repair the fence before April 7.
- Marc and Jeanne agree to talk with their children about the mediation and about talking back to Arthur.

- Arthur agrees to stop cursing and scaring the children.

- Arthur and Jeanne agree to phone if more problems come up.

3. *Common driveways*

- The Jamisons and the Tomlins agree that cars will only be left in the driveway while loading and unloading.
- Bill and Toni Jamison agree to talk to their daughters about parking their bicycles on the porch.
- The Tomlins agree to call before 9:00 p.m. if the driveway is blocked.
- Paul Tomlin agrees to mow the driveway strip.

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Tools for Breaking Impasse

Ron Kraybill

Avoid the Trap of Over-Responsibility

As a mediator, you will function more effectively and with greater confidence and calmness if you recognize that the mediators cannot make peace, only the parties can. The mediators can of course assist in the discussion process, but in the end it is the parties' conflict and they are responsible for the outcome.

Mediators who feel over-responsible for the outcome of a conflict function poorly in their role. If things go well, over-responsible mediators often seek personal credit for success and thereby arouse resentment in the parties. If things go poorly, over-responsible mediators often become frantic and begin pushing the parties to accept their own suggestions for resolution. The parties usually resist this pressure and before long the mediators find their energy consumed by arguments between themselves and the parties.

To the extent that mediators act in ways that suggest they feel *over-responsible* for resolving a conflict, the parties often become *under-responsible*. If the parties see that the mediators feel responsible to come up with solutions and push hard for their acceptance, they tend to become passive and take a mostly negative role.

If the mediators recognize what is happening and know how to change their behavior so that the responsibility passes back to the parties, the dynamics often change. By refusing to become over-responsible for the lives and problems of others, mediators can often increase the likelihood that others will take responsibility for their own problems. If the parties do not object to the possibility of the mediator withdrawing, then this is a sign that indeed there may be little further that the mediator can do, and that it is time to end mediation efforts.

Trust the Process

Rather than feeling personally responsible for providing solutions, experience teaches many mediators to trust the discussion process to bring solutions. They know that any mediation process will have ups and downs; they also know that the only way to get to the ups is by going through the downs. If they can just keep the right kind of discussion process going, resolution will often eventually emerge.

Focus on Understanding Each Side

The "right" kind of process is a process in which the parties feel increasingly confident that the mediators understand their needs and interests. Ideally each side understands the other side but if the mediator understands the parties *in the presence of both sides*, this often takes care of itself over the course of the discussion. Often the parties gradually begin to understand each other as they overhear the mediator trying to understand their opponents.

If mediators know and believe this, their task is easier than it seems. Rather than seeking to persuade or pressure parties, sometimes it is more effective to simply seek to understand them. If mediators focus on asking good questions, it is surprising how often solutions begin to emerge.

Help us understand the concerns you have about this particular proposal.

Are there particular points, concerns, feelings that you especially want the other party to understand (or that you feel they have not yet understood)?

What do you hope to get out of this discussion?

On the long term, what do you see as most important for you/your people in this situation?

How would you like to proceed if we are unable to come to agreement today? What do you see as the benefits and the costs associated with that path?

Draw the Parties into Joint Information-Gathering

A strategy often used in group facilitation is to draw the parties into a joint effort to gather information relevant to the conflict. Negotiations are set aside for a time to allow for this. The parties might together make a trip to the site of a disputed property. They might agree to jointly hear input from a respected community leader or professional person with expertise related to the conflict. They might agree that one side will gather information regarding relevant legal issues and the other side regarding financial issues. If the matter is a community conflict involving numbers of people, they might agree to jointly go and hear the perceptions of others involved.

Often such information-gathering is employed as a first step in complex talks, for it offers a way to ease into the issues, build relationships, and set the stage for negotiation later. But it can also be used at the time of impasse as well. It gives a new focus and changes the dynamics, offers the parties something immediate and practical to cooperate on, and sometimes uncovers new grounds for resolution.

Switch from Problem-Oriented Tasks to People-Oriented Tasks

Mediation involves not only problem-solving skills for negotiating difficult issues, it also requires relationship-building skills for working with people who are hurt, angry, and suspicious. Success in mediation requires a good sense of when to switch from one set of tasks to the other. When things get difficult, it may be time to make such a switch. For example, if the parties are stuck on how to resolve an issue, it might be useful to spend some time pointing out areas of commonality and areas of agreement, or give each side an opportunity to express their feelings and experience the empowerment that often comes from being listened to by an attentive listener.

Use Caucus

A caucus is a private meeting between the mediator and only one party. Caucus should be used sparingly. If the goal is the empowerment of others to solve their own conflicts, mediators need to mediate in ways that reduce the dependency of the parties on them. Caucus often has the opposite effect. The parties have little contact with each other. They wait to be called by the mediators who engage in the hard work of finding solutions. This leaves little room for the parties to build trust or develop new patterns and skills for resolving future conflicts.

Yet despite its shortcomings, caucus is a powerful tool that is sometimes essential in maintaining control and making breakthroughs in times of impasse. Mediators should know how to use it effectively for those moments. (See page 173 for information on caucusing.)

Deadlock-Breaking Mechanisms

In some situations the parties might be willing to employ a deadlock-breaking mechanism. One such mechanism is arbitration; that is, the parties agree to submit a particularly difficult issue to arbitration. In standard arbitration, a person or panel of persons are agreed upon by both parties and requested to come up with a solution to the conflict that both parties bind themselves in advance to accept. Once the decision is rendered, the parties have no option but to accept it, and are legally bound to do so.

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Calling a Caucus

Ron Kraybill and Alice M. Price

What Is a Caucus?

A caucus is a closed meeting between the mediator(s) and one party at a time. To keep things balanced, mediators almost always caucus with both parties, first with one and then with the other. While direct dialogue between the parties in joint sessions is always the preferred objective of mediation, a private caucus may be needed, at times, to move the parties toward direct exchange. In extremely volatile or sensitive disputes, the use of caucus can even eclipse joint discussion as the primary means of communication, but this is, and should be, rare.

Call a Caucus . . .

- When storytelling has been rocky and you detect no willingness to make concessions as you move into the problem-solving stage.
- To explore concessions or get information that parties seem unwilling to discuss in joint sessions.
- When you reach an impasse at any time.
- If one or both parties show signs of high stress by repeatedly breaking ground rules or engaging in disruptive behavior.

- If one or both parties seem to distrust you.
- If you aren't sure that one party can or really intends to live up to what he or she is promising.
- When you feel like you're really losing your grasp of the facts, control of the process or emotional control.

In a Caucus

1. With each party, establish confidentiality of the session and general trust of the party (probably necessary only in the first caucus).
2. Get input from the party: "How do you feel about how it's going so far?"
3. Emphasize positive accomplishments such as areas of agreement, helpful behaviors or contributions of this party.
4. Allow venting of strong feelings and/or disclosure of sensitive information through active listening.
5. Explore hidden agenda and possible solutions.
6. Discuss what information the party may be willing to share in joint session and how it might happen.

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Working With Power Imbalances

Robert Benjamin and Zena Zumeta

Mediators typically find themselves working with issues of power and with apparent power imbalances between disputants. At times, these imbalances may be addressed adequately through specific mediation interventions. At other times, you may determine that mediation is simply not an appropriate forum for particular parties and/or issues in dispute. Below are some ideas about recognizing and responding to power imbalances within the mediation process. Additional materials on the role of power dynamics in conflict can be found in chapter two.

Common Circumstances in which Power Balance is an Issue

- Disparity of parties in access to information.
- Disparity of parties in skill, experience, and ability to negotiate (intellect, emotional difficulties, etc.).
- Emotionally abusive interpersonal dynamics between parties. Mental or physical intimidation that strains mediative process.
- Disparities based on gender, class, age, position, etc.

Assessment and Analysis of Power Balance

- Assess nature and extent of apparent power imbalance.
- Distinguish between value judgments of mediator about power imbalance and parties' judgment (e.g., parties want an agreement that the mediator considers unfair).
- Can or should all power imbalances detected in the mediation process be confronted? How to determine?
- When power imbalance between parties is not susceptible to realignment, when should mediation be terminated?

Strategies and Techniques for Minimizing and Realigning Power Imbalance

Resources outside the mediation process:

- Attorneys;
- Financial planners;
- Reading material and videotapes;
- Counselors and support groups; and
- Peer counseling.

Resources within the mediation process:

- Speculation (e.g., reframe the future: "I'm worried, what will happen if . . .").
- Caucus with parties.
- Reframe to address feelings about the issues.
- Set clear ground rules (e.g., full disclosure).
- Communication interventions (e.g., inhibit control by one party).

Move away from difficult traps:

- Mediator being "set up" by one or both parties.
- Fair in theory, not in practice (e.g., 50/50 splits).
- Positional bargaining games (e.g., set the extreme and split the difference to skew the outcome).
- Party who controls by being extra *rational*, controls agenda. (e.g., "I've already worked out the whole agreement that's fair to both of us.")

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Handling Difficult Situations

Sandi Adams

Consider some situations that mediators may need to address during a mediation.

Receiving Critical Information in a Private Meeting

As discussed elsewhere, the use of separate or private meetings in mediation is a useful tool. A mediator may receive information from a party in private that makes it inappropriate to continue with the mediation.

- A party reveals they have not come to make agreements (perhaps they only want to get other party's information to prepare for a legal case, or they only agreed to come to oblige the other party's request to meet).
- A party reveals something that is a critical piece of the conflict situation, yet they insist that it not be shared with the other party.
- A party reveals physical or emotional threats or intimidation, abusive acts from other party or a non-present party that have impacted their willingness/ability to negotiate freely.
- A party reveals their grave emotional distress, thoughts of suicide, threats of violence toward the other party, etc.

When a mediator receives such information, it is important to consider the following:

- Work with the parties to consider their next steps if mediation does not resolve the issues at hand.
- The safety of all parties! It is unwise to go directly back to joint session, or even in private with the other party, and disclose that you now feel it would be inappropriate to continue. If you choose to end the session, do so in a way that does not imply private information has been revealed.
- Any appropriate resources/referrals you can provide the party during the private meeting that they may find helpful.
- If you are going to do anything other than keep the information confidential (e.g., if your mediation program asks you to report threats of harm toward anyone), let the party know what they can expect you to do.

Disruptive Behaviors

If a party continues to interrupt, yell, call names, etc. to the point that it has the effect of shutting down the other party, or negatively impacting the dialogue or negotiations, the mediator has a range of interventions to consider.

- Remind party of ground rules, ask that they agree to stop the described behavior. Get a verbal "yes" from them before continuing.
- In a separate meeting with that party, confront them on their continued behavior; finding out if there is anything that needs to happen for it to stop and the mediation to continue. Let them know how it is negatively impacting the mediation and their chances for resolution.
- If the above steps do not succeed in ending the problem behavior, end the mediation and ask what each of their next steps will be.

Mediator Bias

You may feel in a mediation that you are having trouble maintaining your impartiality. Sometimes an attraction to or dislike for a party can be put back in check. Other times, a person or issue may trigger us in such a way that we cannot provide impartial service.

- Take a break and review in your mind/heart what has triggered you. Use any techniques you have found to help center or rebalance you, reminding you of your role.
- If working with a co-mediator, tell them privately that you feel you are losing your impartiality. Negotiate a plan with them. Options may be for them to watch and be a reality check for you; for them to carry the speaking load of the work while you take notes or a lesser role; for them to continue alone; or for you to end the mediation and ask the parties to reschedule.
- If you decide to end the session, or leave and allow a co-mediator to continue, announce your inability to continue in a way that owns the problem as one *you* have, not that it is something about them or that

you have a bias. It is best simply to state that you cannot continue as their mediator, that you realize you are not the best mediator for them right now, and that you cannot serve them in the way they deserve. Remember it is your problem that you cannot do your job here, not theirs.

One Party Does Not Show

If one of the parties fails to show up at the appointed time, the most important thing to remember is to NOT engage in conversation about the missing party or about the conflict situation with the party that is present.

- Call the missing party to see if there is a reason for the absence. Find out from both parties whether it is possible to wait for them to arrive, to reschedule, or if mediation is no longer an option.
- If there is no answer and the amount of time waited seems to indicate that they will not be coming, thank the other party for waiting and let them know they will be contacted (by you or mediation program staff) regarding follow-up once the other party has been contacted.

One Party Reveals a Major Piece of New, Upsetting Information

The growing comfort and safety one feels when discussing difficult issues with the help of a third party present often enables them to reveal information that they know will be new and upsetting to another. Often it can be a surprise to the mediator as well! Common examples include the announcement that legal action has begun or the involvement of some other party in the situation (e.g., “Your boss told me to do it because she doesn’t trust you,” or “I’m involved with someone else and plan to move in with them”).

- Find out if the pronouncement is, in fact, a new piece of information for the other party. Name it as a big, new piece of information on the table. Don’t pretend it wasn’t said or try to put it further down the list of issues to be discussed.

- If necessary, call for separate meetings and allow for venting privately in an attempt to keep the negotiations from disintegrating right there. Talk with upset party about what they may need at this point to continue.
- Discuss thoughts, feelings and ramifications of the disclosure, separately and/or jointly. Again, don’t pretend it wasn’t said or try to put it further down the list of issues to be discussed.

Disagreement with Co-Mediator

Working with a co-mediator is the preferred model of mediating for this writer. That doesn’t mean it is always easier. Each mediator has their own personality, strengths and weaknesses, approaches to the mediation process, comfort levels, and preferred intervention methods for the myriad of dynamics involved in mediation. In other words, you don’t always agree. When you are struggling:

- Speak privately with your co-mediator describing the behaviors that are causing you discomfort.
- While being mindful of the time, give each other a chance to identify the thoughts and hopes behind the behaviors, how they fit or do not fit with the role of the mediator, and/or how they may be negatively impacting the work of the negotiating parties.
- Negotiate how to handle your differences so the parties can be best served. Options include agreeing that the behavior is not best suited in this situation, proceeding with one mediator’s preferred method, trying one way and meeting privately again to assess progress, meeting separately with the parties if your co-mediator feels something she or he has been doing at the table is still important, yet you feel it is inappropriate to do in the joint session (e.g., give resource information about one party’s preferred solution or counseling information). If the conflict between you is intractable, end the session using the “you own your problem” rule described under “mediator bias” above.

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Handling Difficult Situations Exercise

Alice M. Price

The caucus is one strategy for addressing touchy situations. During caucus, as well as at other times during mediation, you may be faced with the need to respond rather quickly and decisively to a variety of difficult situations. Your comfort level can be increased by roleplaying some of these “tough calls” in a training session where you have the benefit of group feedback in a low-risk setting. You may find information elsewhere in this manual, as well as from other sources, helpful in assessing these scenarios.

“Tough Issues” Scenarios:

1. You are the mediator and you go into caucus in a family mediation case with a wife who has been very hesitant to talk in joint session. She reluctantly reveals to you that she thinks her husband has been sexually molesting their 10-year-old daughter.
2. You are the mediator and you go into caucus in a business partnership dissolution case with one partner, who reveals to you a secret asset that he has failed to disclose on the financial statement and that he resists disclosing to the other partner at this time.
3. You are involved in a landlord-tenant mediation in which the landlord has refused to return a security deposit. You know—and you think the landlord probably knows—that the tenant could get “triple damages” (three times the amount of the security deposit) for the unreturned security deposit from the small claims court. The tenant seems to be unaware of this and is bargaining in the hopes of getting something less than the complete deposit amount in trade for some other minor concessions by the landlord.
4. An irate husband in a marital separation case—after being called “good for nothing” by his wife—gets up and stomps out of the mediation session. On the way out, he yells, “I’ll get you for this!”
5. Near the end of a mediation on a personal injury settlement between an individual and a large corporation, the corporate representative insists on a final condition to the agreement. The individual would be barred from discussing the fact of the injury or the nature of the settlement with anyone. You know that this individual is not the only person who has used this product and who may have been injured by it.
6. You are halfway through a mediation between a white man and a black woman who have been having problems in the workplace. The black woman confronts you (or your male co-mediator), saying, “You’re just like him! Because I’m black and female, I’ve already got two strikes against me in your book!”
7. You’ve met in several sessions with a divorcing couple. The husband has appeared to be extremely depressed, saying very little in the sessions, and generally agreeing to whatever the wife wants. The negotiations seem to be getting rather imbalanced, and the husband has resisted your suggestions to consult outside resources (attorney, accountant, etc.).

Directions

Option 1

Trainers quickly roleplay or explain the scenario to the group. Individuals volunteer to roleplay a response or suggest strategies, followed by group discussion.

Option 2

Trainers quickly roleplay or explain the scenario to the group or hand out the sheet to the group. People break into small groups and are given a limited time to come to consensus on a response. Report back to the full group and discuss.

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Is It Time to Quit?

Jennifer E. Beer and Eileen Stief

There are times when a wise mediator ends a mediation session. Ask yourself these two questions:

1: Can They Negotiate Fairly and Usefully?

Here are several warning flags:

- A key person seems incapable of participating productively:
 - The person persists in threatening or disrupting.
 - The person keeps repeating accusations and demands, even when the group has already agreed to accommodate them.
 - No amount of explanation resolves a person's confusion.
- A fair agreement is unlikely. For instance, the power differential may mean that one side is caving in to the other's demands.
- The main problems are not negotiable.
- A party who is a critical part of the dispute is absent. Or the person representing a group has not been authorized to make commitments.

2: Does Mediating Potentially Endanger Someone?

Occasionally, there are conflicts where a face-to-face negotiation session can be unfair or even dangerous for participants, other potential victims, for the organization, or for the community. You should stop the mediation if you have good reason to believe that:

- One party might react with violence, vengeance, or intimidation after the mediation.
- One party is covertly using mediation to elicit information that will be used against the other party (in court, to fire them, etc.) or as an opportunity for retaliation.
- Someone is using mediation as a way to keep illegal or unethical behavior under cover. By mediating, a person can avoid getting an official record or punishment. They don't have to admit fault in public. There may be future victims because a confidential mediation makes it harder to establish that there is a pattern of incidents going on.

- The agreement they are proposing is illegal or is harmful to people who aren't represented at the mediation.

Breaking Off the Mediation

Usually the parties break off the mediation before the mediators are ready to give up. When the mediator initiates, it can be hard to know when and how to draw the line. Consult with your co-mediator first and give yourselves a chance to think through what to do. It can be difficult to determine what is really going on and you will have to rely on your intuition.

Be sensitive to participants' interpretations of why you are ending a mediation. For instance, don't end the mediation abruptly following a separate meeting or one party's outburst, leaving others to imagine what was said privately, or that the mediator disapproved of one party's point of view.

Try to remain impartial as you withdraw from the mediation. (Remember too, that no matter how much they tell you, you are getting an incomplete and skewed picture from the participants.)

Try to end the session without blaming or discouraging the participants. You don't need to be explicit about the reasons, either.

I don't think we can get any further right now. I'm glad you were able to . . . (have an honest discussion, reach agreement on X, give mediation a try).

Thank you all for coming. I don't think this is the right place for you to discuss this situation. If you would like some assistance on where to turn next, I'd be happy to meet with each of you privately for a few minutes now before you leave.

If you have information or concerns to convey, meet with each party separately at the end, or call them the following day.

You will want to evaluate in detail afterwards, but don't be hard on yourselves. Good mediators know the limits of what they can deal with in a mediation process.

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Resources for Further Study on Mediation

compiled by Kristin Reimer

Adams, Sandi. *What the Fly Heard: What Mediators Say Behind Closed Doors*, 4th ed. Wilmington, NC: Queen of Hearts Publishing, 2002.

Designed as a follow-up to trainings, gives a clear idea of how a mediator may actually work and respond.

Beer, Jennifer E., and Eileen Stief. *The Mediator's Handbook*, 3rd ed., rev. Gabriola Island, British Columbia: New Society Publishers, 1997.

Developed as a reference manual for those taking basic mediation training.

Beer, Jennifer E. *Peacemaking in Your Neighborhood: Reflections on an Experiment in Community Mediation*. Philadelphia: New Society Publishers, 1986.

A classic on community mediation; this is a provocative evaluation of the goals, objectives and results of the Community Dispute Settlement Project located on the outskirts of Philadelphia. Has four chapters on mediation skills.

Bush, Robert A. Baruch, and Joseph P. Folger. *The Promise of Mediation: The Transformative Approach to Conflict*, rev. ed. San Francisco: Jossey-Bass, 2004.

Explores and promotes the transformative potential of mediation as it critiques the field of mediation today. Very worth reading.

Duryea, Michelle LeBaron. *Conflict Analysis and Resolution as Education: Culturally Sensitive Processes for Conflict Resolution (Training Materials)*. Victoria, British Columbia: University of Victoria Institute for Dispute Resolution, 1994.

Designed to assist mediation trainers and mediators to address culture in a comprehensive way. Highly recommended. Trainer reference (co-authored with Victor C. Robinson) also available.

Fisher, Roger, and William Ury. *Getting to Yes: Negotiating Agreement Without Giving In*, 2d ed. Boston: Houghton Mifflin, 1994.

The most popular small book on basic principles of win-win negotiation, using interest-based collaboration.

Hanna, Frank. *Conflict Resolution and Mediation in the Real World*. Fountain Hills, AZ: Merge Consultants, 2003.

Written by a lawyer who is now a strong proponent of alternative dispute resolution, this book offers practical mediation techniques and ideas.

Kravis, Jeffrey. *Improvisational Negotiation: A Mediator's Stories of Conflict About Love, Money, Anger, and the Strategies that Resolved Them*. San Francisco: Jossey-Bass, 2006.

This book doesn't focus on theory or philosophy, but uses true stories to highlight effective mediation skills and tools.

Mayer, Bernard. *Beyond Neutrality: Confronting the Crisis in Conflict Resolution*. San Francisco: Jossey-Bass, 2004.

This book asks the hard questions of conflict resolution and mediation. Thought-provoking.

Slaikue, Karl. *When Push Comes to Shove: A Practical Guide to Mediating Disputes*. San Francisco: Jossey-Bass, 1995.

A lucidly written guide with practical and wise advice for novices and seasoned mediators alike.

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CHAPTER 6

Groups and Systems



Introduction to Chapter 6: Groups and Systems

I have often joked that at my immediate family gatherings (where we now number over 50) there are two topics we generally avoid—religion and politics—because we love each other and want to enjoy being with one another. Perhaps before our next family gathering, I should send a copy of this chapter to everyone for an open discussion of our structure.

The reality is that each group we are part of helps to shape and define who we are. We are unlikely to be able to avoid being part of groups or organizations; nor would we necessarily want to. This chapter will highlight the significant contribution that engaging in healthy group process can add to our lives when each member fully participates in collaborative decision-making processes.

The chapter highlights two areas—groups and systems. It provides guidelines for working within groups, including how to lead meetings and stages of decision-making, followed by a brief introduction to systems theory and assessing conflict within a system.

While we often want to throw our hands up in frustration when it comes to working with what we perceive to be dysfunctional groups or systems, our hope is that each of us can accept the challenge to transform those dynamics into healthy, life-giving processes; albeit one baby step at a time.

Lorraine Stutzman Amstutz
Co-Director
MCC U.S. Office on Justice and Peacebuilding

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CHAPTER 6 • SECTION 1



Groups

“Fair Play”: Guidelines for Church Dialogue on Inclusion

Brethren/Mennonite Council for Lesbian and Gay Concerns

First, it seems significant to acknowledge that a truly “level playing field” is impossible to create in the current discussion about the inclusion or exclusion of gay, lesbian and bisexual people in the church. Whenever there is a power imbalance such as the one that exists in this current debate, the playing field is not and cannot be level. The risks taken by the parties involved are not even, the potential losses are not equal, and the privileges the parties experience are not the same. We believe that leaders are responsible for acknowledging this power imbalance and inequity whenever and wherever this debate is discussed. We also believe that it is the role of strong, effective leadership to protect the safety and dignity of those that are least powerful. It seems important to ask the question—where and with whom should the church stand when power is not bestowed equally? The following guidelines reflect our expectations of our church leaders in this debate.

Do not tolerate the use of weapons. Not all weapons are crafted out of metal, but all are crafted for battle. Do not tolerate spoken or written words whose purpose is to divide, scar or injure other people, other congregations or the dialogue process itself. Do not give consideration, time or energy to conversations that are initiated by an act of violence (i.e. an anonymous mailing, phone call or rumor that infringes on personal privacy or safety). Conversations or debates initiated by an unfair act are inherently unfair. Personal attacks and name-calling are also forms of weaponry. This includes the name “sinner;” ultimately it is God’s job to judge rather than our own.

Do not allow hostage-taking and threats. Individuals and congregations who issue ultimatums effectively grind to a halt any honest, productive conversation. It is disrespectful and unfair to those favoring the church’s inclusion of gay/lesbian/bisexual people—those who have come to this conversation through the loss of personal privacy and risking total vulnerability—to have the conversation ended by their opponents’ unwillingness to take reciprocal risks in honest, informed dialogue. More and more, churches are leaving or threatening to leave—and to take their dollars with them—unless the conference sees things

their way. Name this as violence to the minority and to the process and be clear that threats are not an acceptable part of this dialogue. Hold hostage-takers accountable for their actions and for the harm that they do to the process. Have the courage to allow churches that issue ultimatums to leave if they insist. Do not allow yourselves or the conversation to be bullied into compliance with the loudest majority. This mode of functioning is always most harmful to the least powerful—clearly not a Christ-like model.

Do not allow an “easy way out.” Our relationships and shared history are at stake. When churches are asked to leave or when churches choose to leave conferences, the fabric of our community’s relationships and histories is torn. This should only be done intentionally, honestly and with clear accountability. Mail-in ballots allow us to rend the fabric of our history and relationships without taking accountability, without looking each other in the eyes, and without feeling the resulting wounds. This “easy way out” is nothing short of cowardice.

“Nothing about me without me!” This slogan from the disability rights movement is valid in the Brethren/Mennonite churches’ conversation about the inclusion of gay/lesbian/bisexual members and their allies. It seems elementary that conversations geared at decision-making about a certain group of people should only happen with fair representation of the group in question. This is not only courteous and decent: it is a decision-making process that welcomes input. A closed decision-making process is not a process at all—it is a decision. However, a “nothing about us without us” policy within the church will prove to be difficult unless efforts are made to level the playing field in our conversations. This is not an ultimatum demanding that “we get our way or we’ll leave.” This is a request for decent, respectful treatment from others so that gay/lesbian/bisexual members can be part of the conversation without being abused spiritually or emotionally.

Insist on educated, informed and “responsible” dialogue. When education is needed, provide it and insist on it. Intervene with appropriate correction when

comments are made that reflect inaccurate information (i.e., linking homosexuality to pedophilia, talking about homosexuality as a psychological disorder, citing AIDS as God's punishment for homosexuals, etc.). As in the case of any minority's relationship with its respective majority, gay/lesbian/bisexual Mennonites have much more information about and experience with straight Mennonites than straight Mennonites have with them. Encourage reciprocation. Insist that those against the inclusion of gay/lesbian/bisexual Mennonites make efforts to acquaint themselves with such people prior to engaging in the conversation. Again, work to equalize the amount of risk individuals must take in having this debate.

Reframe the conversation to accurately reflect the issue. Do not tolerate the naming of the church's problem regarding inclusion as "the homosexual issue." Gay/lesbian/bisexual people are not issues, but people. And the real issue is the Mennonite Church's own inner conflict about whether it will include or exclude gay/lesbian/bisexual Mennonites and their allies within

its congregations and conferences. Those gay/lesbian/bisexual Mennonites seeking membership within the Mennonite Church are not conflicted about whether they want to be included in the church. The church is conflicted about including them. By identifying this conflict as "the homosexual issue," responsibility for the conflict is placed squarely on the shoulders of gay/lesbian/bisexual Mennonites rather than on the shoulders of the church body as a whole.

We applaud the Mennonite Church's efforts in preparing and adopting documents geared toward helping the church "disagree in love." Our hope is that this letter might serve as a companion to these church documents and to other efforts the church has made to create a safe, respectful environment for this conversation.

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The Concept of Process Design

Ron Kraybill

Work in group conflict requires a good sense of “process design.” People usually care as much about *how* a decision is reached (process) as about *what* the decision itself is (outcome).

A great deal of group conflict is the consequence of bad process. Key parties can be expected to reject even the best of ideas and proposals if they are created in processes they find objectionable.

Some principles to consider

1. Good process requires careful thought, consultation and planning. Haste is a major enemy of good process.

2. Good process begins by asking “Who should be involved?” and not “What solution are we going to choose?” Some questions to guide planning about whom to involve in the discussion process:

- Who will view themselves as deeply affected by this negotiation, project or decision? (*Almost always this group should be at the heart of the decision-making process.*)
- Who is in a position to block implementation if they are unhappy with decisions? (*Should always at least be consulted, and often they need to be an active part of the decision process.*)
- Whose advice or assistance will be valuable? (*Consultation called for.*)
- Whose approval will be required to enable this project to proceed? (*Inform and consult.*)
- What are the interests or motivations of each of the above groups?

3. Good process is conducted under auspices acceptable to all. If a community is complaining about police brutality, a program for dialogue between police and community is unlikely to earn community trust if it is sponsored solely by the police. Good process design would call for such a program to be sponsored by an independent organization or jointly by the police and a trusted community organization.

4. Good process involves key parties or their representatives not only in the process of negotiation and deci-

sion-making, but also in the design of the process itself. Key parties are more likely to trust facilitators and participate in talks if they have been consulted extensively and feel that they have helped design the negotiation forum or process. It is wise to give them a fundamental role at every level of process design. In fact, failing to consult with them about process design is likely to arouse opposition to whatever process you come up with, even a brilliant one. Go to them and say, “We are wondering about building a forum in which all of us can talk. Would you be interested? What should it look like? Who should be there? When and where should we meet? Who should convene it? Who should announce it? Should it be on the record or off the record?” Do NOT unilaterally design and then try to “sell” a process to the parties. Rather create one jointly, by means of tentative and low-key private discussion before announcements of the plans to talk are made.

One of the most effective ways of involving parties in process design is to create a “process committee.” Made up of thoughtful representatives of all key parties, this group has the task of planning the process, and sometimes of announcing and coordinating it as well.

5. Good process provides clear information about key aspects of the process to constituents and those affected: about the *purpose* of the process; about *what* will happen *when* (a timeline is helpful here); about *who* will make the final decision and what kind of *decision-rule* applies (51% majority, 67% majority, consensus, modified consensus, unanimity, etc.). These things cannot usually all be decided at the beginning of the process, but they should be clarified as early as possible.

6. Good process offers more than one kind of forum for people affected to express ideas and opinions. In institutional settings: use large group discussion, small group discussion, polls or questionnaires, study circles and personal interviews. In community or political settings: in addition to the above, use conferences, community forums, publications and study materials.

7. Good process maintains trust through careful report-backs to the people affected. During an extended negotiation or discussion process, use open discussions,

surveys, non-binding votes, questionnaires, interim reports, etc., to keep people informed about the trend of the discussion before the decision is final.

If people are shocked by the outcome of a decision-making process, it is almost certainly a sign the designers failed to build adequate mechanisms into the process to report data and learnings that help people follow the trend of discussion. Yes, disappointment is unavoidable in decision making. Shocked surprise is not, and it almost always brings charges of unfair process.

Give frequent opportunities for people to comment about how they feel about the process, whether it is fair, whether they understand next steps, etc.

Never conduct a formal query process (e.g., questionnaires, interviews or meetings designed to find out what people want) without reporting back to those queried a summary of the information or preferences the query process revealed. Neglecting such report-backs is a common cause of mistrust.

Follow-up at the end: Report to people about the outcome/decision finally reached. Solicit evaluation of the process used. Report what monitoring or implementing process will be used.

Process Sensitivity

How much energy to devote to “good process”? Often much is required; other times it is wise not to worry too much about process questions and proceed with decision making or negotiation as quickly as possible. Leaders and group facilitators need to make decisions about “process sensitivity” (how much care to devote to process concerns). Some factors to consider:

- *Significance of the issues* under discussion to the parties involved—low significance may reduce process sensitivity; high significance tends to elevate process sensitivity.
- The *level of trust* between the parties—high trust may reduce process sensitivity; low trust tends to make people more concerned about process issues.
- *Availability of time*—limited time may make it obvious that process shortcuts have to be taken.
- *Cultural expectations*—cultural settings in which it is assumed that authorities or powerful people make decisions for others may reduce process sensitivities.
- The *level of stature and credibility* that the persons leading the facilitation or decision making hold in the eyes of the parties—very high stature and credibility may reduce process sensitivity.
- *Transformative agenda*—when there is no agenda of trust building or human development, there may be less reason to engage in careful process design.

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Designing Good Meetings

John Paul Lederach and Alice M. Price

Meetings are part of every organization's life. And in virtually every case people feel "meeting-ed out." Meetings are necessary but often seem inefficient, time-consuming and poorly managed. How to improve the lot of the modern-day committee member? Here are several suggestions.

Be Clear on the Purpose

Information Sharing, Planning and Reporting—These meetings are held to plan for, share information or report on upcoming events or projects and to permit a time for clarification. This may be better accomplished through memos unless there is need for input and task distribution.

Airing and Problem-Defining—There is often a need to face circumstances in which problems and conflicts are manifested in indirect ways, creating ineffective work patterns and poor follow-through on projects. The meeting provides a forum for exploring people's concerns and feelings in a more direct fashion, with the purpose of documenting and defining. It should not be confused with problem-solving or decision-making.

Problem-Solving—This meeting assumes the problem has been identified and defined clearly. The purpose is to produce options for change. This assumes that people coming to the meeting understand the need for the changes and are ready to work on them. Confusion emerges when the problem is not defined, or there is little commitment or felt need to change. This meeting will likely have a substantial component of brainstorming and will outline potential options. It should not be confused with making the final decision.

Decision-Making—Problem-solving discovers options, but decision-making meetings assume that the options are to be narrowed to a final solution. It is important to be clear about the procedure and authority by which decisions will be made before starting to make them.

Be Clear on the Roles

Facilitator—Of crucial importance to any meeting is the use of a facilitator who provides process guidance. The facilitator:

- plans pre- and post-meeting logistics;
- clarifies meeting type;
- prepares agenda;
- helps to focus group energy on tasks;
- protects people from personal attack;
- encourages broad participation; and
- does not enter into the substantive discussion.

Public Recorder—For the majority of meetings we recommend a public recorder as opposed to a private recording secretary. Public recording serves many purposes that enhance the process:

- It provides a focus for the group.
- It creates group memory, present and visible.
- People can see what they said, it counts.
- People can correct misinterpretations.
- The visible nature facilitates the coordination of ideas.

The recorder is responsible to capture basic ideas of what each person has said, in his or her own language, so that it can be recalled at any time. This permits them to keep pace with the group process and yet make visible what has transpired. Technique suggestions:

- Use newsprint taped on walls, starting with a taped stack that can easily be moved.
- Use large markers in multiple colors (watercolor do not stain) and write in large, at least one and one-half inch letters.
- Get the basic idea, try to catch key phrases or words.
- Do not worry about spelling.
- Ask the group for time when you need it.
- Do not get defensive if someone challenges your phrase, just ask them how they want it and change it.
- Support the facilitator.

Plan and Follow an Agenda

The facilitator should work with leadership or a process planning group to plan the meeting agenda. Distribute to all participants in advance, if possible, indicating designated roles, presentations, etc. An agenda should include the following items, adjusted appropriately to the context and purpose of the meeting:

- *Gathering in:* Time for introductions, icebreakers, personal updates, networking, etc. May be structured or unstructured, depending on nature and length of personal relationships.
- *Centering time:* An opportunity to refocus from other activities to the mission of this group and the purpose of the meeting. May include readings, music, prayer, etc., as fits setting.
- *Agenda review:* An opportunity for both facilitator and group members to supplement prepared agenda with updates, additions, etc.
- *Ground rules:* Set or review meeting ground rules for communication (e.g., recognition of speakers, time limits, respect) and governance (e.g., constitutional guidelines, Roberts' Rules, decision rules, etc.).
- *Review of past actions/updates:* This may include minutes, committee reports, staff updates, etc., as needed and appropriate for meeting purpose.
- *Main items of business:* Based on meeting purpose.
- *Break-out sessions:* Depending on meeting purpose and context, executive sessions, small group discussions, or other break-out groups may be helpful to the agenda design.
- *Wrap-up:* This is often a combination of summarizing meeting content, identifying next steps, assigning tasks, and setting any needed meeting dates for the future.
- *Evaluation:* Oral feedback on how the meeting went is a helpful learning/planning tool for facilitators and other group leaders; written evaluations may also be appropriate.
- *Closure:* Some structure for group members to share a highlight, a commitment, an affirmation, etc., brings better closure than a simple adjournment. Many groups have their own closing rituals.

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Stages of Decision-Making

Ron Kraybill

Groups encountering difficulty with decisions are often skipping the first three stages.

Stage	Purpose	Typical General Activities	Helpful Leadership or Intervenor Activities
Plan	To agree on a fair process that is understood and supported by all.	<ul style="list-style-type: none"> • Identify issues. • Identify goals. • Outline steps of process. • Agree on decision rule. • If the issue is weighty or emotional, appoint a representative group to plan the above. After planning a process, ask the whole group, "Can you support this process?" 	<ul style="list-style-type: none"> • Be sure issues are clear. • Make sure process planners are representative of or trusted by group. • Clarify goals. • Help plan process.
Generate	To generate a comprehensive list of available viewpoints/options.	<ul style="list-style-type: none"> • List ideas. • Brainstorm. • Consult with outside resources to expand options. 	<ul style="list-style-type: none"> • Use newsprint! • Be firm about no evaluations yet. • Encourage diversity. The more diverse the ideas at this point the better!
Evaluate	To examine thoughtfully the strengths and limits of each option.	<ul style="list-style-type: none"> • Identify criteria. • List strengths and limits of each option. • Anticipate impact of each option. 	<ul style="list-style-type: none"> • Use newsprint! • Be firm about evaluating one option at a time in first round of evaluation. • Then allow comparisons of options in second round.
Negotiate	To formulate a proposal reflecting the best judgment of most of the group.	<ul style="list-style-type: none"> • Dialogue. • Debate/persuade. • Propose. • Compromise. • Find win/win solution. 	<ul style="list-style-type: none"> • Poll group, stressing nonbinding nature of poll. • Explore concerns and hesitations. • Stress areas of agreement. • Ask the key players to meet separately and develop a proposal.
Decide	To formally commit as a group to one proposal or plan.	<ul style="list-style-type: none"> • Verbally review the proposal. • Use agreed-upon decision rule to finalize agreement. 	<ul style="list-style-type: none"> • Make sure minority is acknowledged and respected. <ol style="list-style-type: none"> 1) Do they feel heard? 2) Can they live with the majority's opinion? • Make sure details of implementation are addressed (who/what/when/etc.). • Clarify reporting, accountability and evaluation.

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Agreement on Procedure

adapted from David Brubaker and Ron Kraybill

Groups facing major decisions or “hot issues” should have a clear agreement on process before substantive discussion begins. Someone, preferably a small group that represents a diversity of viewpoints, should be assigned the task of developing and proposing a decision-making process to the larger group. This group functions as process advocates, not outcome advocates. Once the process is approved, this committee can also coordinate its implementation.

In outlining a proposed process, four items deserve attention:

The *issue* should be specified. Everyone should agree on what they are disagreeing about, before trying to seek solutions.

A statement of *purpose* or goals should clarify what the group would like to have happen, including whether a decision is to be made.

A *process* section should outline what will happen and when.

A *decision rule* should clarify how all decisions, if any, will be made (consensus, majority vote, etc.).

Sample Agreement on Procedure: A New Director

Issue

To define expectations/qualifications of, and to hire, a new director.

Purpose

1. Provide opportunity for members of the organization to express views on this issue.
2. Develop a proposal regarding director qualifications acceptable to as many members as possible.
3. Undertake discussion openly.
4. Decide on a new director.

Process Time Line

September 1: Search committee presents proposed process to members for approval or modification.

September 1–30: Avenues for membership input into director qualifications, including questionnaire.

September 19: Panel discussion followed by small group discussions.

November 1: Proposal from committee regarding director qualifications, based on earlier input, presented to members for approval/modification.

November–December: Search committee conducts search for new director, based on approved qualifications.

January: Applicants interviewed by executive committee at its January meeting.

February 1: Candidate presented to members for approval.

Decision Rule

Consensus of the membership will be sought on all decisions; if consensus is not reached at any point, action may be taken by a two-thirds majority vote (by standing).

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Overview of Group Facilitation

Alice M. Price

Why Use a Facilitator?

Doyle and Strauss, in *How to Make Meetings Work* (1985), recommend that people with authority and decision-making power should not typically run meetings. Their research indicates that leader/facilitators dominate the discussion and inhibit broader and more creative group input. One way to separate power roles from process roles is to turn the process role over to a designated facilitator.

Whether trained facilitators come from inside or outside the organization, and whether they are used on a regular or as-needed basis, will depend on an organization's make-up, resources and the issues it is facing at any given time. What is key to organizational health, however, is that one or more members have an eye on process concerns. And, as circumstances indicate, that adequate resources (human, time, money, etc.) be invested in designing and carrying out well-facilitated decision-making processes on matters of importance to group life.

The Facilitator Role

In a pure facilitation role, the individual facilitator or team is assumed to have no authority over outcome. The focus is on process only: setting ground rules, establishing trust, listening carefully and reflectively, identifying commonalities and differences, summarizing and framing issues, using a variety of problem-solving strategies, working with feelings, and defining settlement or other closure.

To work as a facilitator, you need to feel comfortable with yourself and your skills. You also need to feel comfortable with the particular context in which you are being asked to serve. This includes the ability to respond openly and sensitively to the full range of diversity in people and ideas that may emerge in a given setting. Knowing the group—or being coached in advance about key values and traditions—will add to your information about cultural and other dynamics that impact group members' experiences, perceptions and problem-solving approaches. Be aware of your own biases, hot buttons or other limitations. In some instances, such information may lead you to decide that a particular facilitation request is inappropriate for you.

Facilitating in Your Own Groups

Strengths—An internal facilitator may have a “head start” in these areas:

- Knowledge about the group's history and current issues.
- Shared values and traditions regarding culture, religion, community, etc.
- Shared patterns of decision-making.
- Pre-existing relationships of trust/belonging.
- Track record of credibility.
- Easy access to and from group members.
- Insight into unwritten/unspoken rules and roles.
- Continuity and availability of service.

Drawbacks—An internal facilitator may experience points of weakness or vulnerability in these areas:

- Preconceived ideas about group issues.
- Part of a closed system, with limited world view.
- Limited objectivity/knowledge regarding new decision-making strategies and skills.
- Pre-existing relationship of non-trust/appearance of conflict of interest.
- Lack of credibility commanded by “outside experts.”
- Inappropriate contacts with group members.
- Blindness to or personal investment in implicit behaviors.
- Burn-out; vulnerability to job or group membership pressures.

Roger Schwarz, in *The Skilled Facilitator: Practical Wisdom for Developing Effective Groups* (1994), identifies two levels or types of facilitation. The first he calls “basic facilitation.” This involves helping a group on a temporary basis to discuss or solve a particular issue or achieve a particular goal. The second is “developmental facilitation.” Here, attention is also given to helping the group improve its internal skills and processes to solve problems more effectively in the future. Opportunities to increase the long-term effectiveness of group functioning should rarely be passed up. Any well-conducted facilitation should provide some learning for the group, if only through facilitator modeling.

References

- Doyle, Michael and David Strauss. 1985. *How to Make Meetings Work*. San Francisco: Jove Publications.
- Schwarz, Roger. 1994. *The Skilled Facilitator: Practical Wisdom for Developing Effective Groups*. San Francisco: Jossey-Bass.

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Intercultural Facilitator Guidelines

Roberto Chené

Intercultural facilitation refers to the process of assisting and enabling an intercultural group to move forward together around common goals and values without allowing the dominant culture voices and values to dominate and control the movement. The intercultural facilitation process guarantees that the minority voices, values and skills are not subordinated or suppressed by the conditioning of racism, dominant control patterns or fear of minority anger. It ensures that the expression of minority anger does not become a barrier to the formulation of positive action. Forward movement is enhanced according to the degree of safety and trust that the facilitator can help create.

A facilitator is really creating a sense of equality and community; guarantees participation at the group level.

The actual participation is what generates the cohesiveness and energy for commitment.

Your audience is those participants in the group who are traditionally left out; facilitate so that they speak more and dominant voices speak less. Goal: To quiet (not silence) the dominant voices by the strength of the formerly silent voices.

If two or three people are talking and everybody else feels “covered,” that is still not enough participation.

Facilitate a balance where the normally silent voices are doing most of the talking and the dominant voices are adding their thoughts.

There is a difference when a dominant culture person dominates than when an “excluded” person dominates.

Conditioned privilege will cause some people to feel they can take all the time they want and give a patronizing lecture.

Ground rules:

Only one person speaks at a time.

No side conversations; it triggers mistrust and feelings of not being taken seriously.

Do not let a person continue speaking without the group’s attention.

Have an agenda and stick to it, but allow for some immediate problem-solving.

Validate feelings and allow limited expression.

Use time structure to control the process, not the participants; they need to feel constrained by the situation, not you.

Provide ongoing feedback to the group about what is happening to them. Try to mediate conflicts as they evolve. Paraphrase and give feedback.

Explicitly connect what one person says to what another person has said; and feedback the overall connecting or “voice” of the group as you integrate the sense of it.

Important for participants to validate at the end what they learned; bring to a focused closing.

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Tools for Group Dialogue and Issue Formation

Ron Kraybill

The following are tools to enable people to talk in a large group or small group setting about issues that they disagree on, when public disclosure and discussion are desired.

Conflict Spectrum

Identify one end of the room for people *strongly* convinced about one idea, and the other end for those *strongly* convinced of the opposite. Ask everyone to take a position somewhere on or between these two points. Then invite individuals to share why they chose the spot they are standing in. This can be taken further by then dividing the spectrum into three groups—the two ends plus a middle group. Give each group 20 minutes to prepare a list of strengths and weaknesses of their position, and then report the list to the total group.

Interviews

Select and interview one to three individuals from each perspective in the presence of the entire group. Interviewer must be viewed as trustworthy and should relate warmly to each interviewee. Tone is that of a friendly, informal conversation with careful listening by the interviewer and lots of paraphrasing. Begin on a personal note to establish rapport; “Tell me a little about yourself,” or, “Tell me what’s been happening for you this week.” Then move to the issues at hand; “How do you personally view these issues?” Encourage people to speak only for themselves; “Tell me what’s been happening here from your own perspective,” or “In what ways have you personally felt misunderstood at times?” The key to making the interviews productive is for the interviewer to draw speakers out beyond their inclination to simply state their biases or simplistic analyses. “Explain that a little further . . . Help me understand why that was so upsetting for you . . . Tell me what your thoughts and feelings were as this was happening. . . .” Interviewer may wish to list views on newsprint or have an assistant do so.

When finished, interviewer may wish to turn to the listening audience and inquire if there are any views not yet heard that someone wishes to add. Interviewer should be firm that anyone who wishes to speak must come forward and be interviewed—this keeps discussion manageable.

Interviews with Listening Chair

A variation on the interview method is to add a “listening chair.” Each person being interviewed is invited to pick someone from the group (ideally someone who has different views) to be their “listener.” The listener comes forward and sits in a designated “listener’s chair.” The listener’s task is to paraphrase everything that the speaker says. This requires the speaker to pause every few minutes to give the listener a chance to paraphrase. The facilitator may need to demonstrate this by serving as the “listener” for the first round. This addition is powerful in fostering a sense of respect and understanding.

Samoan Circle

Appoint one or two people to represent each of the views needing to be aired. Place enough chairs in a semi-circle to seat these people, plus 2–4 additional chairs. The representatives come forward, sit in the semi-circle and discuss the issues at hand. Anyone in the larger group who wishes to participate may do so by coming forward and taking one of the empty chairs. If those chairs are filled, others who come forward may stand behind one of the “extra” chairs until it becomes available. If the issues are volatile, a neutral moderator can be used. Key to success in tense setting: Facilitator announces at the beginning that all are welcome to participate, but stresses that all communication must occur only in the circle. A “listening chair” can be added to the Samoan Circle as with the interview technique described above with the same effect.

Small Group Discussion

Mixed Groups

Assign people to small groups in a way that assures that each small group has diverse members. Give small groups 15–30 minutes to create a list of the three to five most important issues facing the group. A spokesperson reports from each group to the large group, where the issues are tabulated. This is useful when the issues and “factions” are not yet well-defined and greater clarity is needed about what the conflict is about.

As a general rule, groups with mixed members are less likely to get stuck if they are given assignments to identify a diversity of views or to seek clarification of viewpoints rather than to reach consensus. If tension is high and there are not enough skilled facilitators to place one in each group, the small groups can be asked to go around the circle and hear each person’s views, with no discussion until everyone has spoken. Or use a small questionnaire for each person to fill out, and then to share with others in the small group.

Affinity Groups

An affinity group is made up of people with similar views. Use them when people are too timid to speak up in front of those with whom they disagree, when anger is very high, or at that stage in discussion when issues are fairly well defined but people need to check things out with those they agree with before being willing to commit to proposals for resolution. Ways to form affinity groups:

- Invite people to form groups (4–8) with people they feel comfortable sharing their feelings with.
- Assign people based on your knowledge of them.
- Use a spectrum, which quickly and easily identifies who stands where. After people have placed themselves on the spectrum, have them form an affinity group with 5–6 people closest to them on the spectrum. (The spectrum can be used to form mixed groups as well by numbering off down the line.)

Assignments that can be given to affinity groups to prepare for conversation with others:

- List the things that you are especially concerned about.
- Draw a vehicle (bus, train, car, steamroller, etc.) that reflects this organization or situation and the people in it.

- Prepare for dialogue about mutual perceptions. Each group develops a list for each of the following:

1. Adjectives that you think describe the other side.
2. Adjectives you think the other side will use to describe you.
3. Things done by people sharing your views that might have contributed to other side’s impressions of you.

Normally, the next step in using any of the above assignments would be for each affinity group to bring a summary of their discussion to the large group for presentation in the context of carefully facilitated group discussion.

Role Reversal Presentations

Someone from each side is asked to spend time interviewing people from the other side and then give a presentation summarizing the things they have heard. Be sure to give each side a chance to respond to the summary of their views: Was the presentation of their views accurate? Would they like to clarify or expand on it in any way?

Role Reversal Interviews

This is a technique for work in front of an entire group of people. It requires a skilled facilitator who must select several persons to participate and explain in advance what will happen. These persons join the facilitator in front of the group. In the exercise, they are asked to exchange roles and pretend they are the other person with opposite views.

Facilitator: “Mr. X, I’m going to ask you to pretend that you’re Mr. Y over here, and to speak in first person as though you were him, as I ask you some questions. Are you ready to try it? Well, now that you have your Mr. Y hat on, tell me a little about yourself, where you are from and what you do. [The facilitator should always begin with a few personal questions to help the individual get into the role.] Now, as Mr. Y, tell me a little about your views on this issue. . . .” The facilitator should do supportive paraphrasing as the speaker proceeds to help the speaker get into and stay in the role. When X is finished being Y, interviewer turns to the real Y and asks for evaluation. How well did X do in presenting Y’s views? Any key points that X missed? Then reverse and have person Y be person X. This is a fairly high-risk intervention that may be perceived as “playing games.” It should not be forced on participants too early or without careful advance preparation and support.

Fishbowl

One group sits in a circle surrounded by a larger circle of listeners. Only people in the inner circle may speak.

This can be used to give people on one side of an issue opportunity to describe their feelings and perceptions uninterrupted by others. In this case probably each side should get their time in the middle.

The Fishbowl can also be used to give a small group of people from all sides a chance to dialogue uninterrupted in the presence of everyone, or to mediate a conflict between two persons that affects and has polarized a large number of other people (in this case, the two sit in the fishbowl).

Tools to Balance Conversation in Group Discussion

Ground Rule—No one speaks twice before everyone has had a chance to speak once.

Matchsticks—Everyone gets three matchsticks (or toothpicks, small stones, etc.). Every time they speak, they must throw a matchstick into a dustbin. When the matchsticks are gone, no more talking! (Or use M&Ms that must be eaten after one speaks.)

High Talk/Low Talk—A variation on the Fishbowl. People who rate themselves High Talkers (in other words, likely to talk a great deal) sit in the outer circle; those rating themselves Low Talkers take the inner circle.

Comments

1. If people are hesitant to speak out in front of the group, the Spectrum is a good technique for public disclosure of viewpoints en masse. It is often a good “ice breaker” for group dialogue. It cuts down on anxiety about what others may be thinking. Sometimes what people thought was an extremely polarizing issue actually brings the majority of the group to a “middle” position on the spectrum.

2. If the list of issues emerging in discussion is long, facilitators must guide in consolidating it into a few broad headings and then narrow it down to the most pressing issues. One easy way to select the key issues is to ask everyone to pick the three issues they see as most important. Go down the consolidated list and ask for a raise of hands on each issue: how many people had this as one of their top three issues? Issues with the highest number of votes are the ones people most want to discuss.

3. These techniques are primarily for the purpose of initial surfacing of issues in group settings or for enabling an open exchange of views. Often an additional step will be required: to make a decision that brings resolution to the issue. Facilitators should give some thought in advance as to how to enable this to happen. Often it is wise to devote a block of time at the end of an “issue surfacing” meeting to discuss what kind of process will be used to follow up on the issues identified.

For example, a five-person process planning committee representing all key groups could be appointed at this meeting. This committee is then assigned to bring a process proposal to the group at a later date. Such a proposal should identify clearly:

- what *issue/issues* need to be resolved;
- the *proposed activity* for addressing each issue (interpersonal mediation, referral to committee, group discussion and/or decision-making, etc.);
- a *timeline for the activities proposed*; and
- for issues requiring group decision-making, the *decision rule* should be stated explicitly early in that decision-making process, i.e., who will make the final decision and how (consensus, two-thirds majority vote, simple majority, etc.).

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Facilitating Church Conflicts: Bridging the Chasm of Alienation

Marcus G. Smucker

In the church we seem ill prepared to deal with our differences. Our disagreements over doctrine and tradition often become destructive. We do not seem to know how to maintain our integrity and also accept those with whom we disagree. It is easier to rush to judgment and sever a relationship than to seek the spiritual welfare of our brother or sister.

Spirit-led resolution of conflict often requires being aware of our own attitudes and reactions and listening deeply to one another while also continuing to open oneself before God in prayer. As I have observed, read and spoken with some who were involved, I believe an example of this has been the interaction between Southeast Mennonite Conference (SMC) and the Atlanta Mennonite Fellowship (AMF), a member church of the conference.

In February 1996, AMF informed the conference of their decision to receive a gay couple into membership in the congregation. This was not in keeping with a statement agreed upon by the SMC delegate body in 1987. For months after that, leaders and representatives of SMC and AMF engaged in extended conversation, seeking mutual resolution of their differences. Their dialogue was open, genuine and respectful with excellent leadership exercised on both sides. However, AMF continued to believe it was following the way of God, and SMC continued to believe AMF was violating Scripture and the action taken by the SMC delegate body in 1987.

In May 1997, delegates took action to suspend AMF's membership in the conference for one year. During this time AMF was to look seriously at Scriptures pertaining to homosexuality, to participate in the conference only in a nonvoting capacity and to hold no office in the conference. After one year the position of AMF was to be reviewed and reported to the delegate body of the conference.

In May 1998, when it was reported that AMF had not changed its position, the delegate body took action to call a special session of conference, on December 5, 1998, for the purpose of "coming to the table for discussion, interaction, prayer and waiting upon the Lord." They agreed to explore appropriate procedures for fur-

ther action based upon the "Agreeing and Disagreeing in Love" document and "Work With the Membership Status of AMF." Some delegates expressed strong opposition to any separation with AMF. Many wanted complete separation.

Leaders of SMC called upon Mennonite Conciliation Service (MCS) to help them engage in a constructive process leading up to and during the December session. Carolyn Schrock-Shenk and David Brubaker agreed to assist them. At that time conference leaders also appointed a chaplain to the process to keep calling them back to their spiritual roots and commitment when the process became difficult.

In August, Carolyn and David met for several days with representatives of SMC and AMF to help identify mutual goals and develop a consensus proposal to be used as the basis for discussion and action in the December session. These sessions were strenuous and exhausting, but also modestly encouraging. Several times the group came close to calling it quits, but someone always reminded them of the sobering alternative of destroyed relationships. Frequently, the appointed chaplain, through prayer, music and reflection, would remind them of their deep unity in the Spirit. At the end, a draft proposal emerged that included various points of commonality between the two groups. Both AMF and SMC representatives agreed to test this proposal with their respective constituencies.

During the conference's annual October session, the facilitators met with representatives of AMF and SMC to discuss the status of the draft proposal and plan a process for the December meeting. At that time, Carolyn had an opportunity to lead a session with the conference delegates on conflict and healthy process. Several weeks later the facilitators met with the AMF congregation to assist them in their preparation for the December meeting. In the weeks preceding the special session, conference members sought to prepare themselves spiritually. A number of leaders gave time to fasting and prayer, including two pastors who fasted for an entire week prior to the session.

The morning of the December session was spent in structured dialogue; the afternoon in discernment of the

consensus proposal. The facilitators ensured good process in spite of the heavy tension. One person said the guidelines set by Carolyn and David “facilitated an entirely different face-to-face experience. People primarily attacked issues rather than individuals.” Several participants on both sides reported the session as being a very sacred experience, even though the outcome was very disappointing.

In the end, when AMF and SMC could not resolve their differences, AMF voluntarily agreed “to pull back from regular membership and redefine its relationship with the conference.” In effect, they separated from the conference. After all the hard work of several years, this was a huge disappointment. Yet one person, though very disappointed with the outcome, said, “I saw a great deal of change in the minds and hearts of most people present—even some very, very large changes. I am quite impressed with the ability of the Holy Spirit to surprise us!”

Some nagging questions emerge from this case. One, in light of the outcome, did this process fail? Clearly SMC and AMF did not resolve their differences and AMF sustained a major loss. Someone compared it to a divorce. Certainly this is failure. However, it is important to consider the quality of the process, not only the formal decision. From my perspective, if separation happens, it is better that it occur with greater mutual understanding and humility, with less alienation and with significant elements of mutual respect in the midst of the pain and grief that separation brings.

In this case the facilitators helped transform a process that could readily have given way to self-righteous anger on both sides. Instead there was a measure of genuine encounter with one another and with God. As “ministers of Christian process,” on behalf of the denomination, the facilitators helped ensure fair process by creating a “safe space” for dialogue and an equal chance for all to be heard. Open and clear communication helped foster a deep meeting of heart and spirit even if there was not a meeting of the mind. The facilitation encouraged a deep

encounter and genuine respect between persons of different persuasions and a deeper work of the Holy Spirit in the ecclesial process.

Two, is there a place for mediation in such conversations in the church? For some mediators this would seem like a simple issue of justice that cannot, and should not, be mediated because “it helps the church feel better about itself” while making “an unjust decision.” As a church person and mediator, I see it differently. Just as in divorce, it is better that separation happen with less rancor and incrimination and more mutual understanding and compassion. When good facilitation helps humanize the process it invites greater mutual understanding and fosters a more genuine sorrow over the separation. As I see it, this creates more humane, Christian systems in the long run even if unfortunate things happen along the way.

The church desperately needs such help today. The mission of the church is to reflect the way of God in the world today. Scripture and tradition, as well as contemporary thought and context, are essential to the Church’s process of moral and spiritual discernment. In this process the church must inevitably address issues of membership. In doing so it may fail and make wrong decisions. Whether right or wrong, the church must always feel deep sorrow over any decision to separate itself from others, even if it believes separation is mandated by God. Such separation must always be done with tears of pain rather than with self-righteous anger. Only then can correction come to the church when it is needed, enabling it again to find the way of God in the world.

In our current struggle over membership issues, the Mennonite church needs to call upon gifted persons to help ensure Christian process. Such process may not always bring resolution of conflict, nor always lead to the best possible decision, but it can help guard against rancor, anger and self-righteousness. Instead good process can foster greater mutual respect and understanding in the church even if we cannot always keep from separating.

© OJP 2008, *Conciliation Quarterly*, Vol. 18 No. 3.

Training Exercises for Group Process Facilitators

compiled by Alice M. Price

Good Meetings/Bad Meetings

Tell the group they are going to have a chance to relive “meetings I have known and loved” and “meetings I have known and hated.” Elicit spontaneous memories of “unforgettable” meetings from group members. Identify and record *process-related* data on newsprint (e.g., long agendas never finished, unclear purpose, hostile exchanges/efficient use of time, well-structured dialogue, stretch breaks, etc.). People usually have many memories, especially of poor process experiences. A good way to “debrief” these memories is with some humor and introduce the importance of good process planning and facilitation.

Zingers

Set up a short scenario of a meeting in a fishbowl format (see page 199), with trainers or participants prompted to act as “unhelpful” speakers on a designated topic (e.g., “to build or not to build”). Have an empty *facilitator’s chair*. Take volunteers from the large group, or have a rotation system, to give individuals an opportunity to try out one or more facilitation strategies in response to each unhelpful comment.

Agreement on Procedure

Divide into task groups of four to six members. Give each group a short case study of an intra-group decision that requires some process planning. Task: create a proposed agreement on procedure with the underlying process principles/rationale. Use the “Agreement on Procedure” training sheet as a guide (see page 193). Encourage small groups to be intentional about their own group process, using designated facilitators/recorders, a decision rule, etc. Have each small group present its proposal to the large group, as well as debrief its own group process.

Small Group Consensus-Building Exercise

Divide into task groups of four to six members. Give each group a common assignment. For example, tell each group they are a committee developing a proposal to improve conflict management skills and awareness in the congregation. The time-frame for the project is six months and the budget is \$400. Have each group designate facilitation roles. Task: gather ideas, evaluate them, test for agreement and reach a consensus proposal. Limit the small group time to about 10 minutes.

Large Group Consensus-Building Exercise

Take the program proposal ideas reported by each small group in the exercise above. Demonstrate ways to move from small-group to large-group consensus. For example, use story-boarding. Put each discrete item (e.g., “monthly sermon on biblical reconciliation”) on a separate card. Focus on commonalities by grouping cards with similar ideas together in subcategories. Allow additional brainstorming and evaluation to emerge from the story-boarding experience. Demonstrate other techniques, or elicit facilitation ideas from the participants, to move the whole group towards consensus on a program proposal.

Case Study

Miss Clark has been teaching the kindergarten Sunday School class at your church for the past 15 years. She loves the children and is much loved and respected by the congregation at large. But there have been some complaints from parents that her teaching methods are quite outdated. Similar complaints have been voiced about a few other old-time “regulars” on the Sunday School teaching team.

You are on the Christian Education committee. Some on the committee have suggested that you introduce a rotation system for Sunday School teachers, with a three-year maximum teaching term. This idea has been informally tested among the teaching team.

Some support the rotation idea, but Miss Clark and others have indicated that they do not want to be subject to an arbitrary rotation system.

How do you decide, as a committee, to handle this situation?

Exercise A: Process Planning

Divide into small groups of four to six people. Each small group is the Christian Education committee. Their assignment is to determine who should be involved and how to work at this current concern regarding Sunday School teacher performance and tenure. Give them approximately 15 minutes to reach consensus on a proposed agreement on procedure. Have small groups present their proposals to the larger group.

Exercise B: Brainstorming/Small Group Consensus-Building

Divide into small groups of four to six people. Instruct each small group to brainstorm a list of at least eight ideas or options that address one or more of the underlying concerns raised by this situation, in addition to the option of a three-year rotation system. After about five minutes of open brainstorming, give the small groups 10 minutes to evaluate and reach consensus on one or two options that the committee wants to support.

Alternative

If you wish, take the small group proposals from either or both of these exercises and work towards a large group consensus.

Elicited Roleplay

1. Divide into small groups of approximately 10–12 people, each with an assigned coach. Give approximately 30 minutes total for everyone in the small group to share an overview of an intra-group conflict with which they are/have been personally involved.
2. Have each small group select a two-person facilitation/recording team. Give these teams a few minutes to plan a group process to use for selecting one of the conflict stories for a group roleplay.
3. Have each small group implement their roleplay selection process. Give them no more than 30 to 45 minutes. Criteria for choosing a conflict story should include: 1) some clear-cut issues; 2) more than just two points of view; 3) easily assignable roles that can accommodate 8–10 people as individuals or “representatives”; and 4) issues or conflict area that will be of interest to the group members.
4. Once the roleplay story is selected, have small groups designate a new two-person facilitation/recorder team to facilitate the roleplay (other than the storyteller). Give these people, along with the coach, time to plan a strategy/process for a one-hour “facilitation” in the conflict story. Be clear about what stage in the process the facilitation is occurring and the purpose of the particular facilitation strategy.
5. While the facilitation team plans their strategy, have the storyteller meet with the remaining small group members to elaborate on the story and assign appropriate roles and cues.
6. Give each small group at least one hour to roleplay the facilitation by the facilitation team. Then debrief with the coach.

The above case study was developed by Speed Leas of the Alban Institute.

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CHAPTER 6 • SECTION 2



Systems

Systems Theory: A Brief Introduction

Marcus G. Smucker

The universe consists of multiple, interdependent systems. Nature, for example, has many systems (e.g., vegetation, animal life and the atmosphere) that are dependent upon one another. Animals in the wild live in a world of interdependent systems that determine their survival. In addition each animal has its own body consisting of many systems (circulatory, muscular, nervous, etc.) that are also interdependent. The survival of the animal world is dependent upon the well-being of these systems.

In human experience there are social systems with patterns of interaction (communication, rules of engagement, distribution of power, etc.) that are also essential for the nurture and survival of human life. Humans are relational beings, who live in bonded (attachment) relationships within the context of emotional-relational systems. The patterns of interaction in these emotional-relational systems help determine the well being of individuals, communities and society as a whole. Healthy relational systems nurture. Toxic relational systems destroy.

Emotional-relational systems are created by family, church, social groups, work groups, etc. Any group of persons in vital and continuous relationship becomes an emotional-relational system. As is true in nature, these systems are interdependent with other emotional-relational systems in their world. Within such a system, all its parts are interrelated. What happens to one impacts all. A biblical metaphor to describe this is the concept of the church being a “body” in which all parts are connected. What happens to one affects all (1 Corinthians 12).

What are some of the particular characteristics of an emotional-relational interactive system? The following articles give brief descriptions of key dynamics in systems theory that may help provide awareness of how relational systems function in the context of organizational life and change.

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Five Characteristics of a Relational System

Marcus G. Smucker

Emotional Units

A relational system is an emotionally bonded unit, which functions as a single personality or entity. Families, institutions, churches or corporations are relational-emotional units in which each part is related to the whole. The relational and emotional bonding in any system may be healthy or unhealthy depending upon its patterns of interaction and relationships. Characteristics of a healthy system are described below.

Interdependence

Just as the human body is more than a collection of individual parts, so a system is more than the sum of its parts. In a relational system, individual behavior must be viewed and examined as it relates to the system as a whole. Disturbance in one part influences all the other parts and weakens the whole; likewise health in any part strengthens the whole with all its parts. Just as codependent family members often enable the addiction of an individual, any behavior within a system must be viewed as being intertwined with the whole.

Members of a system have two paradoxical needs that affect all of their relations and exist in continual tension: the need to be separate (differentiation) versus the need to be close (fusion)—also called the need to be “me” versus the need to be “we.” How these needs are addressed and resolved helps determine the health of the system.

Intergenerational (Multigenerational Patterns and Problems)

The attitudes and behaviors of individuals are not only connected to the system as a whole but are also linked across the generations, and interlocked with other systems. For example, a person’s behavior in a congregation often parallels behavior in his or her family of origin. A person who remains connected in unhealthy ways to their family of origin will likely try to connect with the congregation in a similar way. In any congre-

gation there are numerous families interacting with and influencing one another. The health of a congregational system will be influenced by the health of the family systems within it.

In particular, the relationship of leaders with their own family of origin is a critical factor in their influence upon the organizational system. For example, the ability of any pastor to lead a congregation toward greater freedom and health will be significantly influenced by the freedom and connectedness experiences with his or her family of origin.

Rules and Boundaries

Rules are a dynamic and vital force in any system to guide or regulate action or conduct, and to determine what should or should not be. They often become a powerful, invisible force that moves through the lives of all members of a system—family, church, etc. They may govern the freedom to comment, i.e., what you can say, to whom, when and where. They may seek to regulate what you feel, think, see, hear, touch or taste. In a relational system, rules are often implicit and even subtle. They may help or obstruct, facilitate or limit, and nurture or destroy. In this sense, rules help create health or dysfunction in a system.

Functional or Dysfunctional

A healthy system is an open system with interconnect- edness, responsiveness, sensitivity and free flow of information between the internal and external environments. Communication is direct, clear, specific and congruent. By contrast, an unhealthy system is a closed system in which the parts are rigidly connected, or disconnected altogether. Communication is indirect, unclear, unspecific, incongruent and covert; given to blaming or placating, or distracting. Roles are rigidly fixed and there is emotional isolation from the outside.

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Four Steps Toward a Healthy System

Marcus G. Smucker

Self-differentiation

Differentiation occurs when each member of a system takes responsibility for his or her own life. To differentiate is to be able and willing to speak specifically and openly about what one thinks, believes, feels and values and about what one is willing or not willing to give, and it is to express openly one's hopes and/or disappointments while remaining in the system and connected with each other. It is to clearly define "me" in the presence of others; to say "I" when others are demanding "you" or "we." Differentiated persons speak for themselves, rather than for others. They describe, rather than blame, when addressing issues, problems or painful transactions.

Self-differentiation includes the capacity to remain a (relatively) nonanxious presence in the midst of an anxious system. In a dysfunctional system, the most difficult and challenging first step is for persons to openly define themselves in a clear and positive manner that is not in reaction to others. Often people wait for others to self-define first, then they define themselves in reaction to the other person. When persons in any group (family, institution, community) cannot, or will not, define themselves openly, the group has a sense of being stuck. When such emotional fusion occurs, both individuals and the group as a whole become reactive. Perceptions become skewed. Communication becomes ineffective. Emotions mount, and interactions become destructive.

Seeing Multiple Causation (Linking)

Whenever there is anxiety, tension or conflict in a relational system, people look for the "one" (person, group or issue) who is responsible. However, conflict within a system happens because it serves a function within the system. Most events in any system are multi-factorial with all factors coming together to create the result.

A system is like a suspended mobile. When one part is touched, moved, or shifted, each of the other parts is set in motion. The interaction of the whole produces more energy than simply adding up the possibilities of the individuals themselves. This interrelatedness can also make it very difficult to sort out what is actually happening.

Systems thought recognizes that patterns of interaction are often multigenerational. This means that some problems in families, congregations, institutions or larger entities will recur from generation to generation.

Detriangulation

Detriangulation in interpersonal relationships can occur if the person or group being triangled (C) can gain some perspective on the anxiety in the relationship between A & B and help A & B take responsibility for their own process. If C can withstand the invitation to enter into the relationship as judge or messiah, keep enough emotional distance to stay connected with A & B while still maintaining a nonaligned stance, and as needed coach them, or find someone who can coach them to deal constructively with their anxiety and conflict, the triangling will have been reversed. Self-definition, self-differentiation and being a nonanxious presence are essential to this process. (Whybrew 1984:17)

Naming Reality versus Keeping Secrets

Secrets hold power in a relational system. For example, in a family there may be secrets about past behaviors—suicide, sexual indiscretion, business failure, etc. Such secrets, sometimes maintained for generations, generate anxiety and have a negative power in the system. Anything that inhibits family members from commenting on what is or what has been will be a likely source for restrictive behaviors and attitudes in members of the family system.

When secrets are brought to light they lose their power. Whenever members are able to get in touch with all parts of their family life, the family has greater opportunity to change for the better. When family members are free to comment on everything, whether it be painful or joyful, or even wrongdoing, the family has a better chance of being a nurturing family. Secrets hurt! Open communication brings greater health.

A secret in a relational system may be about the past or present. It may be related to events, or experiences, or any reality that “must” not be commented upon and addressed openly. When seeking the health of a system, it is often helpful to name things that are being avoided,

to openly observe patterns that are destructive, to comment upon the cyclical nature of dysfunctional behaviors, and to identify those things that a family, congregation, institution or nation refuses to recognize and seeks to keep hidden.

Reference

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Organizational Culture: An Overview

David Brubaker

What is “Culture?”

“Socially constructed realities that provide learned ways of coping with experiences.” (Thompson and Luthans 1990)

“Culture is a property of a group. Wherever a group has enough common experience, a culture begins to form.” (Schein 1997:13)

Key Points

Culture is not a historical given. At some point it was shaped or constructed and it is being continually reconstructed.

Culture provides us with a “taken for grantedness”—the behavioral cues become so routine that we don’t have to think about how to respond (unless the culture is foreign to us).

Culture is learned. The process of learning a language usually accompanies the process of learning a culture—whether in a country or an organization.

How does Culture Operate in an Organization?

Organizational culture can be examined according to four “Rs”:

Rules: ranging from “standard operating procedures” to unspoken taboos.

Roles: ranging from the formal organizational chart to the informal “office gossip.”

Rituals: ranging from lavish ceremonies to informal celebrations and punishments.

Roots: ranging from our “official history” to deep but unspoken emotional ledgers.

These four Rs can be found operating at three levels:

Formal—The conscious, written level. Established procedures and titles.

Informal—The conscious but unwritten level. Established norms and informal roles.

Tacit—The unconscious and unexpressed level. Taboos, habits and unspoken norms.

Why is Organizational Culture so Resistant to Change?

“Culture is so stable and difficult to change because it represents the accumulated learning of a group—the ways of thinking, feeling and perceiving the world that have made the group successful. For another thing . . . the important parts of culture are essentially invisible.” (Schein 1997:21)

“Attitudes and behaviors are closely associated in organizational culture. . . . How can attitudes be changed? Through changes in behavior by those who wish to change the culture . . . management has to be consistent in its actions.” (Thompson and Luthans 1990)

Organizational Culture Grid Exercise

	Formal	Informal	Tacit
Rules			
Roles			
Rituals			
Roots			

This exercise can be a group builder. It can also be risky since it begins to name the unconscious.

1. Divide a large group into smaller groups of four to eight people each.
2. Have each small group fill in the grid with specific examples from their organization or system.
3. Share small group examples with the large group, and discuss the similarities and differences.

Variation: Do the small group work in affinity groups (management/support staff, women/men, white people/people of color, etc.). In the large group com-

pare ways the system is experienced the same or differently by various groups.

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Organizational Change: An Overview

David Brubaker

Change isn't something you do by memo. You've got to involve people's bodies and souls if you want your change efforts to work.

LOU GERSTNER, CEO OF IBM

Why Change?

- When the external *environment* changes.
- When the basic purpose or *mission* changes.
- When the organization's identity or *image* needs to change.
- When the organization's relationships with key *stakeholders* changes.
- When the way organizational members do their work (*process*) needs to change.

What are the Components of a Successful Change Process?

- Vision-Driven—a positive, clear direction is set.
- Leadership-Driven—support and articulation from all leaders in the organization.
- Systemic/Holistic—takes account of all levels of the organization.
- Planned—a deliberate process to go from the “current state” to the “desired state.”
- Communicated—including opportunities for dialogue about the proposed changes.
- Owned—generally supported across all levels.
- *The change process involves “unfreezing” from the present state and “refreezing” at the desired state.* (Lewin 1951)
- *“During any transition, performance will inevitably decline before reaching the improved desired state. . . . Managing change is really about managing this transition. . . .”* (Schneider and Goldwasser 1998)

What are the Stages of a Successful Change Process?

1. Establishing a sense of urgency—Examine and reveal possible crises and/or opportunities.

2. Creating the guiding coalition—Gather a team with enough power to lead you through the change.
3. Developing a vision and strategy—Decide where you want to go and how you can get there.
4. Communicating the change vision—Be in constant communication regarding the new vision with everyone affected.
5. Empowering broad-based action—Encourage creative ideas that work at implementing the change vision.
6. Generating short-term wins—Strive for and celebrate any steps made towards the goal.
7. Consolidating gains and producing more change—Revitalize the process with new projects and more staff development while continuing the momentum forward.
8. Anchoring new approaches in the culture—Connect organizational success with new behaviors and ensure leadership development.

(Kotter 1996)

“Culture change occurs not by focusing on ‘changing culture’ but when you focus on changing people’s behaviors.” (Trahant, Burke and Koonce 1997)

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Levels of Conflict: Assessment Guide

summarized and arranged by Marcus G. Smucker

I. Problem to Solve

- There is a conflict of goals, values, needs, plans and information.
- Participants are problem-oriented rather than person-oriented; they seek rational solutions.
- Participants collaborate in seeking a resolution.
- Language is clear, specific, “here and now” and descriptive.

Strategy

- Define problem together, gather information and seek mutual resolutions.

II. Disagreement

- Participants are concerned with self-protection; they become more shrewd and calculating.
- Language shifts from specific to general; rather than naming the persons with whom there is conflict, one hears statements such as:
 - “There is no trust.”
 - “We have a communication problem.”
 - “People should act more Christian around here.”

Behind each such statement is a specific factual happening.

- Participants are cautious about sharing all they know about the conflict; they tend to withhold information that might enhance the other or hurt themselves.
- Hostile humor is often present here.

Strategy

- Work to reduce fear and increase trust.
- Encourage broad participation of persons involved.
- Empower parties in their participation.
- Begin at lowest possible level of the organization.
- Help people to be open and to share freely.
- Teach communication skills.
- Seek ways to encourage a compromise of the differences.

III. Contest

- Participants move from concern for self-protection to that of *winning*; they engage in win/lose tactics without trying to get rid of the opponent.
- Factions often emerge and problems cluster into issues and causes; people take sides and seek to gain control over others.
- Language shifts and perceptions become distorted. These include:

Magnification: Seeing self as benevolent and the other as evil.

Dichotomization: Dividing everything and everyone into a neat dualism, leaving no alternatives.

Overgeneralization: Seeing a particular behavior as an example of all events.

Assumption: Believing one knows the other’s intentions, etc.

- There is resistance to making peace overtures because that appears to be losing. Parties hang back waiting for the other to show weakness.
- Personal attacks get mixed up with problem identification.

Strategy

- Seek to reduce the effects of fear on the group.
- Intervene so that distorted thinking will not be allowed to stand as truth.
- Encourage trust development in the group by remembering past good experiences, observing similar goals and interests, and increasing good communication.

IV. Fight/Flight

- Participants move from wanting to win to *wanting to hurt* or *to get rid of* others. Emphasis shifts from changing others to removing them, e.g., “get the pastor fired” or leaving them and getting others to go along; this is a fight/flight pattern. Being right and punishing become dominant themes.
- Factions solidify; strong leaders emerge and the welfare of the subgroup is more important than the health of the total organization.
- Language jells into ideology and members talk of principles more than issues.
- Parties become detached from one another; they become unforgiving, cold and self-righteous.

Strategy

- Get outside professional help.
- Lay careful ground rules (somewhat arbitrarily).
- Appoint monitoring committee.

V. Intractable Situations

- Participants wish to *destroy* one another. The goal is to remove the others from society.
- These persons see themselves as fighting for an eternal cause, for universal principles.

Strategy

- Seek outside arbitration.

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Conflict Transformation for Leaders: Some Principles

Carolyn Schrock-Shenk

Build an atmosphere of trust

- Trust is the single most important element in healthy conflict transformation. Building an open, respectful and safe system is the foundation for constructive rather than destructive conflict.

Establish conflict as normal

- Expect it. Don't let it catch you off guard. It's as much a part of life as food. Be open about its presence. Name it. Explore it.
- Invite it. Welcome and explore differences. Be wary of a decision that seems to be "flying through" without dissent. Create ongoing structures that invite dialogue, feedback and evaluation.
- Exploit it. Conflict is the stuff of growth and change and progress. Learn from it and help others learn from it. Use it to learn new truths about yourself, each other and God.

Equip yourself with skills, especially listening

- Careful, deep listening is a tangible sign of respect and is the most important element in conflict transformation. It includes temporarily setting aside your own agenda in order to understand what the other person is trying to communicate.

Be a non-anxious presence and stay connected

- Conflict often produces fear and anxiety. Your ability as a leader to move toward the point of anxiety and be a calm, non-judgmental and sensitive presence is critical. It means staying engaged with people, their emotions and their issues rather than retreating or attacking.

Invite and model self-definition

- Model the capacity to openly state your feelings, goals, values, preferences and roles. This clarity opens the way for others to define themselves as well rather than waiting to simply react to others.

Good process prevents unnecessary conflict

- "Go slow to go fast." Carefully planning problem-solving and decision-making processes and being clear about the steps involved saves much time and frustration in the long run. The process is not only as important as the outcome but actually helps determine the outcome.

Keep your eye on the system

- Your congregation/organization is a system with rules and patterns and habits. Every interaction and every conflict is affected by the system and vice versa. Ask yourself what meaning specific things have for the larger system.

Keep conflict manageable

- Be proactive. Listen constantly and deal with issues as soon as they emerge. Sorting through differences of opinion early is much easier than dealing with antagonism and escalated conflict later.

Feelings are an important part of the process

- Invite, acknowledge and validate the presence and expression of emotions. Explore their meaning. They are key to transformation.

Keep the process mutual

- Invite feedback, suggestions and criticism from others. Receive it non-defensively, listen carefully and accurately paraphrase the concerns before responding.
- Work to remove problems from a competitive framework. Frame it as a problem to be solved together.
- Validate the other and the relationship and your commitment to both.

Ask for help

- Know when you need to ask for help and where you can find that help. Seeking outside help is a strength not a weakness.

You can only change yourself

- Resist the temptation to focus on changing others. Friedman (1985) says that the success of a leader is more related to how he or she functions as an individual than on managing the members. In his words, “The key to successful coaches is less a matter of how they ‘handle’ the players than how they handle themselves”(p. 222).

Reference

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Making Interventions Appropriate

Alice M. Price

When considering an outside intervention, it is important to be as clear as possible between the organization and the potential consultant about what is needed. This will vary, depending on the level and sources of conflict. For guidance, see “Levels of Conflict: Assessment Guide” on page 213. Many organizations today need to respond to extremely difficult dynamics. For example, people that have experienced inappropriate sexual conduct by leaders require specialized help. A good consultant will use assessment tools at the outset, as well as along the way, to guide interventions in an appropriate and safe way. At times, this may mean incorporating or referring the group to more specialized resources, interdisciplinary teams, etc.

The organizational context and cultural expressions are also key in selecting consultants and designing interventions. The following experience from the Alban Institute is included to underscore the importance of cultural appropriateness in designing outside intervention. It is excerpted from interviews by Leslie Buhler with three participants in the Institute’s work to form an Asian American team for conflict interventions; Virstan Choy, Bert Tom and Ben Wu:

At the start there was an assumption that The Alban Institute conflict-resolution process was a universal process, applicable to all congregations. There was a sense that we just needed to figure out how to translate—through language or culture—that universal applicable process to different congregational settings. We started out bringing together Asian Americans, Native Americans and African Americans from different denominations. The trainer said “we need your help in translating the Alban approach for conflict resolution.” At that meeting, most of the participants saw that none of us thinks about or responds to conflict in the way the Alban folks talk about it—or how predominantly white churches do. Those distinctions necessitated separate teams (from each cultural group) working on culturally sensitive responses.

There was a growing awareness among our team that Asian American congregations have peculiar ways of dealing with conflict and that the Alban process would only exacerbate the conflict in a congregation or provide fuel to a conflict that had not exploded. Culturally, across different Asian nationality groups, we share a unique and distinctive posture and predisposition. Folks discovered their commonalities and, after those moments, creative images emerged, images like “acupuncture instead of surgery, and ginseng before aspirin.” The denominational staff really wanted techniques and this blinded some folks to our plea to begin with an understanding of our Asian cultures. This desire for technique reminded us of the “Alban map”: All you have to do is just follow the map. It might work in white congregations, but it doesn’t work for us. This parallels what David Augsburg is doing in his *Conflict Mediation Across Cultures* (1992) book. He talks about pathways, not processes.

I think some folks who came to our consultations assumed that there would be a process to resolving intercultural tensions—even though it might not be the traditional Alban process. We don’t give people processes. We work with images and creative problem-solving. As some folks have said, we use non-invasive, non-surgical ways of working with congregations. If you play with the acupuncture image, you can see whether it is a denominational task force or an outside consultant who works with that church, they need to work in a way that is not invasive and injurious to the individuals or, more important, to the relationships between individuals in the church. This paradigm for understanding relationships represents not so much a psychological or sociological paradigm but one based on cultural anthropology.

See also the articles on structural and cultural dimensions of conflict transformation in chapter two.

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Potential Roles for the Consultant

Lombard Mennonite Peace Center

The clarification of the consultant's role is particularly important, especially when the consultant is an official or representative from within the larger system to which a group belongs. *Every effort should be made during the contracting phase to prevent role confusion.*

Within the broader arena of conflict management, a consultant may play a variety of roles, including:

Support to Leadership

- Counselor, coach and supportive colleague.
- Anticipates the difficulty of being both a “counselor to leadership” and a mediator to resolve differences in the group.
- May be used exclusively when the group rejects intervention attempts.

Fact-Finder

- Identifies issues and parties involved, separates rumors from facts, etc.
- Identifies destructive patterns within the organization system.
- Particularly important when people are accused of a breach of trust—stealing or sexual misconduct.

Educator

- Trainer for leaders and/or members in conflict management skills and strategies.
- Reports on destructive patterns within the system and other learnings acquired when gathering information.

Process Consultant

- Recommends process for collaborative decision-making.
- Focuses on structures of conflict management rather than recommending outcomes.

Facilitator

- Facilitates a meeting or series of meetings without preliminary data-gathering.
- Invited when a difficult meeting is anticipated.

Mediator

- Facilitates healing of relationships.
- Facilitates problem-solving on substantive issues.

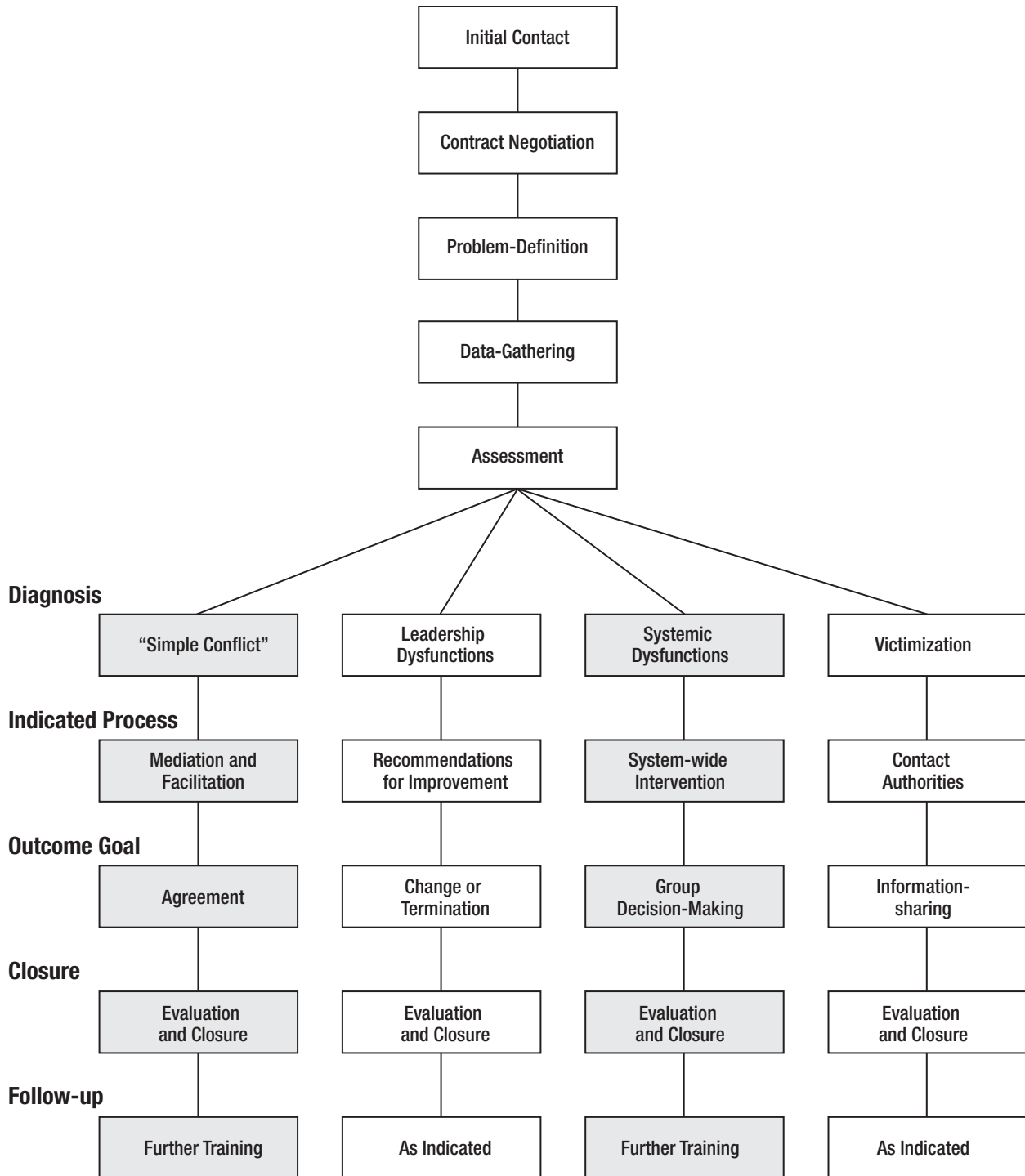
Arbitrator

- When the conflict becomes unmanageable for the group.
- Makes decision for disputants after thoroughly hearing all views.

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Diagnostic Flow Chart for Intragroup Intervention

David Brubaker



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Organizational Intervention: One Model

Lombard Mennonite Peace Center

1. Contracting Phase

- a. Clarify consultant's purposes and roles.
- b. Outline goals and describe steps in the intervention.
- c. Clarify terms of the contract: fees, scheduling, etc.

2. Education Phase

- a. Training workshop.
- b. Ongoing equipping of members and coaching of leaders.

3. Information-Gathering Phase

- a. Constitution, past minutes, other relevant documents.
- b. Questionnaire.
- c. Telephone interviews.
- d. Small groups—structured dialogue.

4. Healing Phase

- a. Large group—structured dialogue.
- b. Large group—neutralizing history.
 - Distant past.
 - More recent past.
- c. Interpersonal mediation.

5. Problem-Solving Phase

- a. Reflection on interests.
- b. Brainstorm ideas.
- c. Evaluate ideas.
- d. Build agreement for the future.
- e. Obtain agreement of those not present.

6. Bringing Closure to the Intervention

- a. Written report.
- b. Closing reconciliation ritual, as appropriate.
- c. Follow-up contacts.

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Facing Difficult Issues in the Congregation

Marcus G. Smucker

A. Assess the significance of this issue in the life of the congregation.

1. Information: Gather data in the congregation as needed to help address the issue(s) effectively.

2. Scope: Identify the circles of involvement and concern.

- Who is directly involved with the issue?
- Who is in primary or significant relationship with those most directly involved?
- Who is most likely to call for defending values?
- Who is most likely to call for compassion?
- How are leaders involved in this issue? Are any of the leaders enmeshed in the problem?

3. Impact: Observe the nature and severity of the issue and its potential for tension.

- Is this issue to be addressed primarily on a personal or a congregational level? Is this primarily a concern for pastoral care or also discernment by a larger group?
- Is this primarily a crisis requiring immediate resolution or will it require longer-term attention?
- On a scale of 1–5, what is the severity of the conflict potential of this issue in the congregation?
- What is the current level of conflict and polarization in the congregation around this issue?

4. Priorities: Consider the scope and impact of this issue for ministry and management.

- What will be the time demands for the congregational process? (How many meetings over what period of time?)
- What will be the time and personnel demands for pastoral care?
- What limitations of time and energy apply?
- What boundaries are needed to enable a process to be effective in this congregation at this time?

5. Questions: Write a clear, concise statement of the question(s) to be addressed.

When a congregation faces a difficult issue that needs discernment, it is essential to assess the scope and impact of the issue on the life of the congregation and establish priorities for action. The *scope* is concerned with how deeply and broadly the issue is rooted in the experience of the congregation. This will help indicate the time and energy needed to address the issue. *Impact* seeks to identify the extent to which polarization is occurring and the level of conflict resolution needed. Severity is determined by the nature of the issue in context. For example, the issue of abortion would likely be much more severe than whether or not to change the time of the Sunday worship service. The more severe the issue the greater the potential for escalated conflict. This has implications for the extent to which various persons may need pastoral care during the process of discernment.

Often conflict is multidimensional and messy. Many things beg for attention at once. Congregational leaders need to ask what the *priorities* are for management and ministry in this situation. If it is a short-term but intense crisis, how will the intensity be paced and managed? If it is likely to take longer to resolve and discern, how will the congregation be helped to engage in a sustained process? What will be the pastoral care needs during this time? How can the congregation maintain a sense of order? What are the personnel and time limits?

Finally, it will help everyone if the issue can be stated in a sentence or two. Often it is most helpful to put it in terms of a *question*: “Is it essential for our mission to enlarge our building?” Such a question may have several subsidiary questions, but a primary one serves to clarify discussion and focus the congregation’s prayer and discernment.

B. Clarify the locus of responsibility for discernment and decision-making.

Does responsibility for making a decision on this issue rest with:

- Leaders within the congregation? (If so, which leaders?)
- The congregation as a whole?
- Some external group (district, conference or denomination)?
- A combination of the above?

It is essential at the outset to establish who is ultimately responsible for making a decision about the issue. If it is the congregational leaders, then the congregational process needs to include information and education about the issue and the decision. If the decision rests with the congregation, then it is essential to design a process that includes adequate study, discussion and prayer. If the decision is both congregational and denominational, then the congregation must be led to the clearest discernment possible in order to be prepared to engage in dialogue with the conference, district or denomination.

C. Develop a plan for the process.

1. Discernment and Decision-Making: Design a process for discernment and decision-making.

Such a process may include the following steps:

- a. Listen to the story or experience of those involved. Invite conversation between members.
- b. Reflect upon the implications of these stories or experiences. Clarify concerns. Note commonalities and differences.
- c. Study Scripture and theology relevant to the issues at hand. Examine various understandings.
- d. Relate stories and Scripture to relevant conventional wisdom. (Sciences, culture, tradition.)
- e. Seek the face of God together through prayer, reflection, fasting, etc.
- f. Identify the mind of the congregation to make the needed decisions.
- g. Apply the decision with mercy and grace.

2. Leadership: Identify, appoint and prepare leadership for the process.

- Appoint specific persons to provide leadership for the process. (Leadership may include the pastor, elders or deacons, the church moderator, a committee of persons assigned to this task, a facilitator, etc.)
- Assign clear roles and responsibilities to the leaders; it must be clear to all who is responsible for what.
- Provide essential preparation (training) for leadership. This may include giving attention to:

Attitude: To be able to accept tension and conflict as normal in congregational life.

To be able to tolerate ambiguity.

Self

Awareness: To know one's own conflict style.
To know one's own strengths and limits in facing conflict.

Skill

Development: To learn basic group process and mediation skills.

3. Schedule: Create a tentative time line for the process, making sure it is clear to everyone.

4. Pastoral Care: Develop a plan for congregational and individual pastoral care.

- Plan worship services, sermons and teachings with the discernment process in mind.
- Encourage a spirit of mutual care (I Corinthians 12), forgiveness and hope. Teach people to release fear, anger, power struggles and self-centeredness.
- When difficult meetings occur, reassure the people of God's care, acceptance and guidance; reflect openly with the congregation about the struggle.
- Identify persons and groups for whom the process will most likely be difficult.
- Assign persons to provide pastoral care during the process, e.g., visits and conversations.
- Those who care for persons must: 1) be willing to stay in touch; 2) be clear about the care procedures (expectations, confidentiality, accountability); 3) be able to listen well and stay in dialogue; 4) help persons reflect on their own lives as well as on the issues within the congregation; and 5) help identify a network of support: family, friends, professional persons, etc.

The significance of the steps in this phase are self-evident. It is important to have clearly designated and prepared leadership not only for the effectiveness of the process, but also so congregational members know who is responsible for what and to whom they can communicate their concerns. The greater the conflict the more leaders need to be prepared to listen and dialogue between sessions for a sense of inclusion and fairness. In severe conflict it is important that leaders hold their own convictions while respecting those who disagree. Members need to know that the leader of the process is able to fairly guide the process whatever the spectrum of opinions and convictions.

The process for *discernment and decision-making* is the heart of this outline. The process begins with the stories of those most immediately affected; it encourages broad expression of concerns and opinions in a context of openness and safety. In times of severe conflict there need to be several sessions, without the threat of a decision, in order for people to dialogue openly and respectfully. Leaders must at all times model this respect and openness.

This process is designed to create dialogue between personal experience, the Scriptures, theology and ethics, conventional wisdom and the Christian community. People need to pray throughout and keep holding the issue and the congregation before God. It is absolutely essential to create a climate of openness and yieldedness to God, with a sense of spiritual responsibility beyond individuals and the congregation itself. People need to have a keen sense of God's ultimate authority in the life and decisions of the congregation.

In this process it is essential that all members know what to expect. Will the decision be by majority voice, consensus or some other form? Likewise it will be important that all know when the decision is to be made and the process leading up to the decision.

The second most important element in this plan is *pastoral care*. The ability of a congregation to engage in genuine dialogue and prayerful searching in the face of differences will be significantly influenced by the care that is provided for individuals and the congregation. At the core of such care is listening, understanding, encouraging and providing safe dialogue. These are ways to validate and value those who are most concerned, fearful or threatened.

D. Prepare a climate for discernment and decision-making.

1. Provide biblical perspectives on dealing with differences in the life of the church.

- God working through diversity within the Body of Christ (I Corinthians 12).
- Resolution of conflict in the early church (Acts 15).
- God's love and care for the people of God (Romans 8:28–38).
- The call for Christians to accept and forgive one another (Ephesians 4–5).

2. Teach basic skills for discernment and decision-making.

- *Listening*: How to do active listening and/or give feedback.
- *Speaking*: How to speak for self; I-statements vs. you-statements.
- *Dialogue*: How to engage in respectful give and take.
- *Praying*: How to hold issues/people before God.
- *Discernment*: How to be receptive to God; how to listen to God together.
- *Decision-making*: How to ascertain direction and act on options.

3. Identify negative effects of unresolved conflict on relationships and congregational life.

4. Create awareness of different styles of conflict resolution and their consequences.

5. Practice dealing with "more manageable" issues to help people learn these skills.

Here it is evident that the means for discernment is dependent upon Christian relationship. The nature of human interactions has much to do with the freedom of the Spirit to work in the hearts of the people. A divided, hostile congregation is not in a position to discern truth together. Congregational discernment is dependent upon the ability of people to work toward resolution of destructive interpersonal elements: misunderstandings, power struggles, resentments and polarization. While spiritual and moral discernment must go beyond mediation, the use of mediation in the process of discernment is often essential. Leaders are encouraged to use the excellent materials provided in this manual as well as elsewhere. Even though we believe in peacemaking, the attitudes and skills for conflict resolution are not natural to most people. These must be learned and prac-

ticed if they are to be of use in difficult and tense moments. To this end we do well to create a culture of peacemaking in our congregations.

E. Facilitate the congregation in a process of discernment and decision-making.

1. Report the issue/concern/problem at hand to the congregation.

- Provide a clear description of the issue, the question(s) to be answered and the decision(s) to be made.
- Describe the plan that is being recommended to help the congregation address the issue.
- Allow ample time for congregational reaction and response.

2. Negotiate with the congregation to engage in a process of discernment and decision-making.

- Provide information about specific leadership roles and responsibility.
- Explain the process to be pursued. There should be no surprises.
- When scheduling meetings, be clear about time, length and number of sessions.

3. Lead the congregation in the process for discernment and decision-making.

- Lead the congregation through the steps of discernment.
- Allow ample time for study and reflection.
- Structure each session with clear goals and adequate time for the agenda.
- Facilitate open, discerning communication in congregational conversations.
- Encourage an attitude of inclusion and care as members address their differences.
- Create a safe environment for all to speak.
- Maintain a spirit of discernment: reflection, prayer, encouragement.

4. Monitor the process by meeting regularly with leaders to reflect and seek direction for the future.

5. When the time is right, facilitate a decision by the congregation using the agreed-upon method.

6. Implement pastoral care procedures for individuals and the congregation.

7. Assign a listening committee to draft a formal statement of any action taken by the congregation.

There are essentially four parts to this step: contracting, implementing the process, implementing pastoral care and confirming the decision. The more clear and agreed upon the question to be answered and the process for answering it, the more potential for an effective process. Discernment will be facilitated by a gentle interplay between discussion, dialogue, debate, etc. on the one hand, and times of reflection and prayer on the other.

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Opening Up Systems' Issues

compiled by Alice M. Price

What follows is a collection of intervention strategies and exercises, with brief descriptions, collected from a variety of sources. These activities may be used to collect important systems information for leaders and consultants. They also are avenues for group members in general to become more conscious of how the system is functioning and to identify unhealthy or undesirable patterns that need change. Many are suited for use in fairly routine leadership or membership retreats, staff meetings or annual planning events. Others are particularly appropriate for significant times of group transition or as part of an extended intervention in a more acute conflict situation.

Group History

Have group members recollect the essential history of the group, chart it on butcher paper and hang it up around the wall. If there are keystone events in the organization's history (e.g., the death of a beloved leader), you might arrange for an appropriate old-timer to do some animated storytelling or lead the group in some impromptu dramatic skits related to that period. Use the butcher paper and any related storytelling as a jumping off point for identifying long-term patterns in group life such as leadership transitions, the role of conflict, etc. History-telling has been used successfully in congregational interventions, as well as for celebrating important turning points or orienting newly arrived leaders.

Variations: If there is a large group and/or a long history, start the process in small groups first—perhaps giving each an assigned focus or time period. Then have small groups share/debrief together in the large group. Form small groups to maximize mixes that are multigenerational, old members/new members, liberals/conservatives, or whatever combination will cut across and broaden typical lines of communication or perspective.

Corporate Character

Have individuals or small groups describe the organization as if it were a single human personality. This can include both verbal and pictorial images. Include the character's gender, age, favorite activities and interests,

habits, etc. Some use this exercise to do congregational interviews focusing on "family" language; e.g., how often the "person" has been married, have there been any divorces or deaths, are there children, etc. This method gets quickly at relational patterns. It can be used as a jumping off point for system-focused discussions.

Corporate Charts

The group is divided into teams. Each team is given an hour to create its own "puzzle" or organizational chart to hang on the wall and share with the larger group. Instructions are to describe all the functional components or roles in the organization, place these into some type of organizational format and then add relevant connecting lines of authority and communication. Stress that formal, informal and tacit roles and connectors should all be included, but perhaps designated by different colors, shapes or other codes to distinguish them.

Use the posted charts to discuss similarities and differences in the different puzzles and their implications for group life. What can be learned about the roles and rules in this system? Do any of the puzzles look like the official organizational chart of the organization? What do people wish the official organizational chart looked like?

Variations: Depending on whether your goal is to surface differences in perceptions or to create opportunities for cross-stitching, these can be either intentionally mixed teams or teams that each represent a distinct department, facet or vantage point from within the group's structure (e.g., ordained/lay, staff/board, men/women). If there are particular dynamics you want to explore, teams can be given specific questions to explore (e.g., how many people over and under certain ages form a certain committee, etc.).

For a published game of similar design, specifically geared to congregations, see *The Church Puzzle Game* by Susan J. Ellis (1989).

Conflict Habits

How groups handle conflict is often a good window into systems issues. Design a group activity to create a comprehensive list of organizational habits or norms related

to how conflict is handled in the group (e.g., conflict viewed as wrong/normal, communication mainly indirect/direct, use of personal attacks/separating people from issues). Discuss which of these rules are constructive and which are not. Consider what norms the group wishes to have regarding conflict and how the group might work to achieve changes in its conflict patterns (e.g., conflict skills workshops, clearer decision-making processes, improved communication channels, accountability structures, etc.).

Variations: Begin the exercise by having individuals identify and share the conflict norms in their *own* families of origin. In religious settings, surface the early theological teachings underlying these norms and how helpful these teachings were or continue to be. Discuss how these affect them in the new system.

Fables and Parables

Storytelling of all kinds, particularly of stories that embody classic dilemmas, can be used with groups to break loose insights about their own group dynamics. Stories can be selected that are suited to the group's needed area of focus. *Friedman's Fables* and its study guide (see "Resources" at the end of this article) provide a wonderful storehouse of such stories. Stories and parables from the Bible also provide excellent materials for religious settings.

Variations: Less literary-minded groups can be encouraged to think of popular stories, movies, TV dramas, comic strips, etc., that remind them of something the group is experiencing. Or take a well-known fable or fairy tale and let the group rewrite it as it wishes.

Metaphors

Keep your ears open for metaphors that will free a group or individual to move to a new level of understanding of their situation. Many conflict resolution trainers use metaphor to engage people in looking at conflict styles and habits by asking people to come up with verbal or picture images to finish the phrase, "We do conflict like _____."

Metaphor can also be an intervention tool. Someone says, "Look at us. We're jumping ship for a more glamorous yacht." Metaphoric responses for the facilitator to explore: "Is the boat sinking?" (grief, loss, anxiety). "Are we getting on the wrong ship?" (loss of direction, purpose). "Are we leaving people behind?" (separation, loss of relationship).

Paradoxes

Use of paradox is one of the most potent interventions available. Fables, noted above, often rotate around paradox. This technique also includes use of the *paradoxical injunction*, such as telling a group that is really stuck or ardently holding on to old grievances that you do not think it would be good for them to move ahead or let go of their strong feelings too quickly.

Having identified key paradoxes or tensions in a group or conflict, create helpful exercises for playing with these ideas. In congregations experiencing tensions related to growth, for example, group movement exercises expressing the identified tension between growth and intimacy can be designed. In organizations facing significant retrenchment, one can explore the tension between what may be the strong institutional tradition of a secure "family" and the fact that people are walking around feeling highly unsafe.

Variations: One exercise that addresses polar tensions—and can begin to lift up paradoxes—is the *human spectrum*. Group members are all asked to get up and place themselves where each one is personally along any designated line (e.g., openness to conflict at one end and conflict avoidance at the other). This clear naming of what may be unspoken or confusing tensions not only promotes healthy self-differentiation, but provides a lot of good group information quickly. It can break through rigid coalitions and communication patterns—and at times dispel the myth that the group is polarized. Dialogue about what the spectrum means for people individually and for group life can follow.

The human spectrum idea can be taken out of its purely linear format and used quite successfully to explore more than two interlocking tensions or paradoxes in systems through movement exercises involving triangles, wheel spokes, four corners, etc.

"Family" Sculpting

Sculpting is a technique used commonly in some family therapy settings. Someone is asked to "sculpt" his or her system's roles and relationships. Actual system members or volunteers stand at designated places and distances, relative to one another. They then assume assigned facial expressions and body poses to illustrate their role's typical physical and emotional posture in the group "scene." The sculptor and others may then be asked to respond to the finished tableau from their perspective.

Variations: This technique can be used effectively with simple props, role-designating placards and costuming if one wants to add a bit of drama and perhaps even some levity to the discussion. I have also seen it include someone with a ball of string—perhaps the sculptor—wandering among the people and intertwining them in appropriate linkages, to demonstrate coalitions, fusion, triangling, etc.

Systems Inventory

When there is an adequate time-frame, groups can commit to a comprehensive systems inventory of some type. This entails having each group member or member of a leadership team fill out a questionnaire designed to elicit a broad range of systems information. This information is then given to someone to collate and analyze and then is shared in the group for analysis.

Some inventories are in a guided exploration format in which individuals are given a set of topics and/or thought-provoking questions to which open-ended responses and reflections are then recorded (e.g., what triangles operate in this group?). Other inventories are in a forced-choice format (e.g., mark one: “We tend to business first” or “We tend to people first”) and may result in a specific score or profile sheet. The Alban Institute has an inventory worksheet that explores systems dynamics related to seven key aspects of group life and leadership (see Parsons and Leas listed under “Resources”).

Breaking the Rules

This is often more of an overall strategy or attitude assumed by a leader or consultant than a single intervention. It can also be incorporated into group activities or group life more generally. It involves deliberate breaches of rules, especially informal or tacit rules, in the system. One fruitful area for rule-breaking in many systems is communication patterns: Refuse to talk about or insist on talking about certain things, subvert normal lines of communication, resist being triangled into issues and relationships, be “unconfidential” about secrets and sacred cows, etc.

Many of the intervention options listed above provide ripe avenues for this kind of breaking down of rigid or dysfunctional communication patterns. Keep this goal in mind by maximizing healthy rule-breaking in your design of group exercises, mixers, etc.

Resources

- Friedman, Edwin H. 1990. *Friedman's Fables*. New York: Guilford Press.
- . 1990. *Friedman's Fables: Discussion Questions*. Pamphlet. New York: Guilford Press.
- Parsons, George D. and Speed B. Leas. 1993. *Understanding Your Congregation as a System: Congregational Systems Inventory (CSI)*. Herndon, VA: The Alban Institute.

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Letting Go of the Past

Ron Kraybill

A major problem in almost every situation of conflict is the past. Lies have been told, damage has been done, pain has been inflicted, resentments have been aroused and injustice has been perpetrated. How can peacemakers contribute to the necessary task of letting go of this history?

An important reality for any discussion about healing from the wounds of the past is that reconciliation is a journey, not an event. It is not just a matter of saying nice words and having pleasant feelings. Reconciliation requires facing the damage and hurt of the past, hearing the anger and resentment of those who are injured, and helping to undo, wherever possible, the damage that has been done. Some of the steps in the journey of reconciliation are scary and painful, and appear to be a step backward. But often there is no way to continue with the journey unless the parties are prepared to take these steps in faith that will ultimately lead to a good outcome.

Positive Attitude Toward Anger

One of the most important moments in determining whether mediators and facilitators contribute towards movement in the journey of reconciliation is when people express anger, hurt and resentment. If we block people from expressing these emotions, we may “freeze” them in the healing process and make it difficult to move on. On the other hand, uncontrolled expressions of anger may lead to a breakdown in all communication.

Often it is effective to maintain a positive attitude towards anger as it surfaces in parties to conflict, to acknowledge anger without judgement and to look for ways to enable further expression of it in “safe” ways.

Tell and Retell

The most important step towards healing is telling the story of hurt to an attentive listener. Despite what many people believe, telling stories of hurt does not reinjure old hurts. On the contrary, it is the story never told that holds people in secret bondage to old and festering wounds. By telling stories, people reassert ownership over their lives. Thus giving an angry or traumatized

person opportunity to tell the whole story about his or her trauma is a major contribution to that person’s healing. However, storytelling is healing only if it is accompanied by careful, nonjudgmental listening by someone else. Peacemakers need to cultivate the ability to listen with great attentiveness, setting aside all judgement, as a fundamental skill in contributing to healing.

Stories of deep trauma often need to be told many times in order to achieve healing. In normal daily life, someone who has been in a car accident, for example, will recount the experience again and again to sympathetic family and friends in response to queries about a bandaged arm. Such retelling serves an important emotional purpose in gaining release from the trauma of the experience.

Neutralizing History

A powerful exercise for letting go of old hurt is called “neutralizing history.” It is based on a procedure developed by Barbara Daté and her colleagues in Eugene, Ore., in the early 1980s. In one bitter conflict, after several fruitless hours of seeking solutions to the issues, the mediators announced to the two groups involved that bitterness about the past seemed to block all possibility of progress. They suggested that the parties set aside efforts to negotiate for a time and instead take some time to express their resentments to each other. The groups agreed to this proposal.

The mediators asked Group A to come to the next meeting with a list of all the things they were angry about, and to appoint a spokesperson for each item. During that meeting, the appointed spokespersons came forward one at a time to talk about the events on Group A’s list. Each spokesperson chose a “listener,” which could be anyone whom they wished to choose from the opposing group, whose job was to simply hear the speaker, and briefly summarize what he or she understood the speaker to be saying without responses or challenges.

By the end of the first meeting, the people from Group A were feeling wonderful; those from Group B were deeply discouraged. But in the next meeting the process was reversed. This time, Group B got the lift. At the end of this meeting the facilitators asked each

group to come to the third meeting prepared to assess the situation.

At the third meeting, surprising things happened. One group read a written statement of apology. Individuals from the other group not only accepted this statement, but added their own apologies. Over a two-hour period, many statements of a desire to forgive and move on were made. The logjam had broken and the parties were now able to quickly agree on next steps to resolve a series of practical decisions.

Neutralizing history is an extremely powerful intervention, effective both in group and interpersonal conflicts. The purpose of neutralizing history is to provide emotional release from past destructive events. The exercise is incomplete on its own and needs to be followed up with joint planning and decision-making about the kind of relationship participants would like to have in the future. Failure to do this is likely to lead to the parties' falling back into old resentments.

This intervention requires clear, confident facilitation. It is important that facilitators provide constant emotional support to both sides. This is especially important for the person who is listening.

Keeping with the focus on "letting go," facilitators can ask parties to put each issue on a card. When the speaker has described an incident and has been paraphrased, the facilitator can ask the speaker, "In a minute I'd like to ask you to toss this card in the trash can. Is there anything else you want to say about this experience before you do that?"

A Useful Question

A simple question facilitators can ask of people who are stuck in old hurt: "What, specifically, do you need to do and what could others do that would enable you to move on from the past?" Responding to the question moves people out of the role of a passive, blaming "victim;" a role that makes them permanently dependent at an emotional level on the people they resent the most. By describing these two things, people begin to exercise some mastery over their own lives.

Rituals of Healing

Ritual can be a powerful resource in assisting people to move through healing processes. At its best, ritual provides a pathway for people to safely channel negative emotions and open themselves up to new possibilities. Traditional societies were often rich in ritual, but under the influences of urbanization and modernization many of these rituals are now falling into disuse. Peacemakers do well to explore the literature, dance, drama, song, poetry, liturgies, folk sayings, ceremonies of cleansing and healing, etc., that lie within the cultural traditions of people in conflict. The wisdom and ways of the elders sometime offer important resources for healing the wounds of their children and grandchildren.

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Some Not-So-Tongue-in-Cheek Principles for Intervenorors

Jim Yaussy Albright

Each side of the conflict will judge your competence as an intervenor on whether you are able to see the obvious truth that they are right and the other side is wrong.

Everyone involved in the conflict already knows what should be done about it. The problem is simply making the other side do it.

By the time you are contacted everyone has already done everything humanly possible to resolve the problem. Now it's up to the other side to make the next move.

Everyone wants a change, as long as they don't have to change.

Nine times out of ten, people conceive of "resolution" as getting back something they feel they have lost in the conflict. Though often unspoken, and perhaps unconscious, this hidden expectation can undermine the best-laid plans.

People ask for help in conflict not because they can envision a successful outcome or because they feel capable of being constructive (in fact, just the opposite), but because the pain has become unbearable.

As soon as the pain of the conflict has been slightly relieved, people will want to end the process. In general, people will be looking for a quick fix.

People will acknowledge your expertise or impart authority to you, not so you can work more effectively, but so they will have an expert authority on their side.

People will go to great lengths to misunderstand others and to make sure others misunderstand them. Most commonly this is second-guessing others (I know you better than you know yourself) and misrepresenting themselves (you couldn't possibly understand my true feelings or treat them with respect).

Most people in a church conflict will not purposely hurt others, unless they feel threatened or cornered; and, in a church conflict, everyone feels threatened or cornered.

People will try to put their conflict in the best light in order to save face, and will resent you later after the front has crumbled and you have seen them at their worst.

When people are too quick to agree with you, they're trying to get rid of you. Generally, resistance is healthy.

What people tell you is the problem is usually not the problem.

People will be most resistant when you are closest to the real problem.

When the actual conflict becomes too threatening to deal with, people will sometimes try to make your relationship with them as intervenor the issue.

People are usually willing to listen to a new perspective on themselves, as long as it agrees with their own.

Sometimes you just have to know when to let go and let God.

If things go well, you can either successfully be an agent to bring healing to a conflictual situation, or take credit for bringing the healing. But not both.

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Resources for Further Study on Groups and Systems

compiled by Kristin Reimer

Group Process

Avery, Michel, Barbara Stribel, Brian Aurine, and Lonnie Weiss. *Building United Judgment: A Handbook for Consensus Decision-making*. Madison, WI: Center for Conflict Resolution, 1999.

Reissued. The best overall guide to consensus process that we know.

Coover, Virginia, ed. *Resource Manual for a Living Revolution*. Santa Cruz, CA: New Society, 1985.

An early, still valuable resource for working at social change from a nonviolent orientation. Good sections on group process.

Eiland, Millard, and LeDayne McLeese Polaski, eds. *Rightly Dividing the Word of Truth: A Resource for Congregations in Dialogue on Sexual Orientation*. Charlotte, NC: Baptist Peace Fellowship, 1999.

This looseleaf binder of 260 pages divided into ten sections draws on the wisdom of more than 30 writers and tells the stories of 13 congregations who carried out study processes.

Hart, Lois B. *Faultless Facilitation: The New Complete Resource Guide for Team Leaders and Facilitators*. Amherst, MA: HRD Press, 1996.

A ring-bound “how-to,” also available with an instructor’s manual for training settings.

Hutcheson, Richard G., Jr., and Peggy Shriver. *The Divided Church: Moving Liberals and Conservatives from Diatribe to Dialogue*. Downers Grove, IL: InterVarsity Press, 1999.

The two authors, coming from very different theological perspectives, offer hope for constructive dialogue in our own Christian circles.

Johnson, Luke T. *Scripture and Discernment: Decision-making in the Church*. Nashville, TN: Abingdon Press, 1996.

Good biblical study of the opportunity and challenge of making decisions in the church.

Kayser, Thomas. *Mining Group Gold: How to Cash in on the Collaborative Brain Power of a Group*. Blue Ridge Summit, PA: McGraw-Hill, 1995.

Written for a corporate audience, but contains so much good material on facilitation that it is probably the single best book on the topic.

Kraybill, Ron, and Evelyn Wright. *Cool Tools for Hot Topics: Group Tools to Facilitate Meetings When Things Are Hot* (The Little Books of Justice and Peacebuilding). Intercourse, PA: Good Books, 2007.

Excellent tools for facilitating difficult subjects and conflictual issues on many topics.

Morris, Danny, and Charles Olsen. *Discerning God’s Will Together: A Spiritual Practice for the Church*. Nashville, TN: Alban Institute with Upper Room Books, 1997.

Proposes a clear series of practical steps in decision-making that could easily be adapted to nonreligious settings as well. Excellent integration of faith and practical approaches.

Organizing Community-Wide Dialogue for Action and Change: A Step-By-Step Guide. Pomfret, CT: Study Circles Resource Center, 2001.

This is a guide for setting up “study circles” as a response to racism, but the concept could be used in any setting where there is tension and need for dialogue among a large number of people.

Phelps, Joseph. *More Light, Less Heat: How Dialogue Can Transform Christian Conflicts Into Growth*. San Francisco: Jossey-Bass, 1998.

Offers hope and practical tools for healing the deep and painful wounds that divide members of the Christian family.

Smith, Kathleen S. *Stilling the Storm: Worship and Congregational Leadership in Difficult Times*. Washington, DC: Alban Institute, 2006.

A look at the use of worship during times of conflict.

Conflict and Systemic Change

Boers, Arthur Paul. *Never Call Them Jerks*. Washington, DC: Alban Institute, 1999.

Shows how a better understanding of difficult behavior can help congregational leaders avoid the trap of negatively labeling parishioners.

Cosgrove, Charles H. *Church Conflict: The Hidden Systems Behind the Fights*. Nashville, TN: Abingdon Press, 1994.

A practical book that applies family systems theory to church conflicts.

Diamond, Louise, and John McDonald. *Multi-Track Diplomacy: A Systems Guide and Analysis*, 3rd ed. West Hartford, CT: Kumerian Press, 1996.

An overview of systems and multitrack diplomacy.

Friedman, Edwin H. *Generation to Generation: Family Process in Church and Synagogue*. New York: Guilford, 1985.

The best book on family systems thinking in religious systems.

Friedman, Edwin H. *Reinventing Leadership*. New York: Guilford, 2007.

A video program containing footage from the late Dr. Friedman's seminars and interviews focused on how systems get stuck and how to bring about systemic change.

Hopkins, Nancy Myer, and Mark Lasser, eds. *Restoring the Soul of a Church: Healing Congregations Wounded by Clergy Sexual Misconduct*. Collegeville, MN: The Liturgical Press, 1995.

A book about crises and long-term healing strategies for damaged congregations that will restore them to being healthy communities of faith.

Johnson, Barry. *Polarity Management: Identifying and Managing Unsolvable Problems*. Amherst, MA: HRD Press, 1996.

Distinguishes between problems to solve and ongoing polarities or dilemmas that organizations must manage and cannot resolve.

Leas, Speed. *Moving Your Church Through Conflict*. Washington, DC: Alban Institute, 1985.

Assessment and intervention tools for conflicted congregations. A good first book for those interested in church conflict.

Lewis, Robert, and Wayne Cordeiro with Warren Bird. *Culture Shift: Transforming your Church from the Inside Out*. San Francisco: Jossey-Bass, 2005.

Written for church leaders, this book looks at how to change a congregation's culture at a foundational level.

Mennonite Conciliation Service. *Conflict in the Church*. Akron, PA: Mennonite Central Committee, 1999.

A two-part, 40-minute video with discussion guide that offers alternative ways of viewing and dealing with conflicts in congregations.

Mindell, Arnold. *Sitting in the Fire: Large Group Transformation Using Conflict and Diversity*. Portland, OR: Lao Tse Press, 1995.

Thought-provoking reflections on facilitation in groups, particularly settings of racial, ethnic, and economic conflict. Limited in some settings due to its urban/Western perspective.

Rendle, Gilbert R. *Leading Change in the Congregation: Spiritual and Organization Tools for Leaders*. Washington, DC: Alban Institute, 1998.

Provides church leaders and others with practical diagnostic models and tools.

Richardson, Ronald W. *Becoming a Healthier Pastor: Family Systems Theory and the Pastor's Own Family*. Minneapolis, MN: Fortress, 2004.

A sequel to *Creating a Healthier Church* (see below), this book focuses on using family systems theory to analyze how pastors can work more effectively in congregations.

Richardson, Ronald W. *Creating a Healthier Church: Family Systems Theory, Leadership and Congregational Life*. Minneapolis, MN: Fortress, 1996

A good summary of systems theory and practical set of leadership ideas and behaviors.

Steinke, Peter L. *Healthy Congregations: A Systems Approach*. Washington, DC: Alban Institute, 2006.

Revised. A deeper exploration of the congregation as an emotional system than Steinke's book, *How Your Church Family Works* (2006).

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CHAPTER 7

Standards and Ethics for Practice



Introduction to Chapter 7: Standards and Practices

You are facilitating a victim offender case. The offender, a youth, is a person of color and the victim is a white male. As the victim tells his story of the offense, it is obvious his anger is escalating. Suddenly, the victim yells, “You people are nothing but a bunch of monsters. I would like to just round you all up and send you all back to where you came from!”

What should you do?

You are mediating an insurance claim for bodily injury when you realize that you mediated a case involving the claimant four years earlier. In fact, the claimant’s complaints are the same as those she had in the previous case in which she received a settlement.

What should you do?

You are mediating a divorce case. The parties are close to an agreement when they ask to meet with you separately. In caucus, the father reveals that he is uncomfortable with the custody portion of the agreement because he believes that his spouse is sexually abusing their child.

What should you do?

These are situations that every mediator will face, at least once. This chapter presents models to assist practitioners in addressing ethical dilemmas. This chapter also challenges practitioners to possibly reevaluate assumptions that have existed as essential understandings and practices in the field of conflict transformation and restorative justice.

Michelle E. Armster
Co-Director
MCC U.S. Office on Justice and Peacebuilding

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Office on Justice and Peacebuilding Philosophy of Practice

Office on Justice and Peacebuilding Staff

As staff of the Office on Crime and Justice and Menonite Conciliation Service discussed ways to integrate our work and become the Office on Justice and Peacebuilding, we articulated the philosophy that guides our work:

- Overall purpose is to equip people to live in community and to respond redemptively to interpersonal and systemic conflict, harm, and injustice in our families, our communities, and our congregations.
- Responding to the biblical mandate as stated in Micah 6:8 to “do justice, love mercy and walk humbly with your God,” we will promote fair and inclusive processes in times of conflict, crime and injustice to those in need. These processes will be guided by principles of restorative justice.
- The above will be carried out by providing resources and education, based on the values and principles of restorative justice and their applications. These resources/education will respond to issues of interpersonal and group conflict, victims and offenders, and harm to communities caused by crime and/or injustice.

We also agreed to employ the following value statements to guide our work:

1. All people should be treated with dignity and respect, recognizing that each person has some piece of the truth.

Our work in peacemaking arises from a commitment to build community, remembering that God calls us to live relationships of justice, mutuality and love. As we strive to be faithful to our relationships with others we recognize that seeing “God in the other” means listening and speaking to others we may not agree with, which is both challenging and rewarding.

2. Each of us needs to be responsible for our actions and needs to be held accountable for those actions.

We recognize that our actions affect others and that we need to be accountable to those we have harmed whether intentionally or unintentionally. We seek ways to hold one another accountable while also supporting them in their efforts to reconstruct damaged relationships with themselves, others and the community.

3. By our presence, we are all members of communities and therefore connected to one another.

We recognize that harm and crime result in broken relationships. When a crime occurs, a relationship is formed—albeit a negative one—and the journey of healing for everyone involved needs to begin in order to strengthen our community bonds. This is even more critical when a harm/crime happens between those who have been or are currently in relationship with one another.

4. We recognize that forgiveness is a process that allows all people to walk at their own pace.

To forgive too quickly may deny participants opportunities for healthy transformation either for the person harmed or the person who committed the harm. We are committed to supporting people on their journeys and to provide resources for them along the way, while calling for the possibility of forgiveness.

5. We provide opportunities for reconciliation as appropriate and as defined by those affected by the actions of others.

Reconciliation is not a pre-scripted event, nor a quick-fix, but rather a journey. We acknowledge the pain of that journey and seek to find ways to include all those affected by conflict or harm in the reconstruction of relationships.

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Restorative Justice Values

Lorraine Stutzman Amstutz and Michelle E. Armster

Restorative justice values are the foundation that guide any process. The following are values we find helpful in our work.

Participation

It is critical that a restorative justice process involves all those that have been affected by the crime/harm/wrongdoing. Everyone is valuable and has something to contribute.

Respect

All human beings have inherent and equal value, regardless of his or her actions, race, class, gender, age, beliefs, sexual orientation or status in society. Respect includes listening, speaking and mutual consideration.

Transparency

Complete and honest understanding of motivations is essential to justice being restorative. Each person needs to speak from her or his own truth.

Humility

All human beings are fallible and vulnerable. The restorative process recognizes and allows victims, offenders and communities to discover their common humanity. Empathy and mutual concern are characteristics of humility.

Interconnectedness

All human beings are uniquely bonded by their shared experience of crime/harm/wrongdoing. Everyone is valued and connected to society. Therefore, all members of society share the responsibility to create healthy communities.

Accountability

A safe space must be created so that those who have harmed are able to take responsibility for what they have done. All participants must be willing to listen to the other so that it is possible for participants to speak about what happened, the impact and the consequences.

Self Determination

All human beings have a right to autonomy in their lives. A restorative process is a conduit to encourage empowerment. Offenders are empowered to take responsibility for their actions. Victims are empowered to determine their needs and how those needs should be met.

Spirituality

A restorative justice process recognizes that restoration has the capacity to reach further than the persons involved. A restorative process may inspire healing for victims, change for offenders and faith in a strengthened community.

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Ethics and Alternative Dispute Resolution

Theresa S. Ozuna

In 1990, I received my training in community mediation from the TERROS Community Mediation Program in Phoenix, Ariz. I found that this process spoke to my heart. As the years passed and the number of mediations under my belt grew, I found that it was necessary to break the rules I learned in mediation training. It seemed that the model did not always meet the needs of the parties who came to mediation—parties from Native American, Mexican or Hispanic and African American communities.

I also began to realize that my moral and personal ethics defined how and who I was as a mediator. It took me several years to realize that there even existed ethical standards and, even then, my standards were higher than the standards established by mediation programs that were written by individuals who thought one model would fit all. Over time, there was also a sense that the field of mediation was losing its soul; the soul that actually came from indigenous people's peace-making processes—concerns for people, relationships, and community. Mediation's soul was replaced with more concern for territorial rights than for conflict and people. There was little interest in living life as a mediator and more interest in just working as one.

As a mediator, I could easily separate my personal garbage from the mediation process, but I wrestled with leaving behind the teachings of my parents to respect all living beings; to see the interconnectedness of plants, animals, and people. When working with parties, I instinctively knew that language was important; that being *bien educado* (well mannered) overrode any protocol that courts of lawyers followed; that family and the inclusions of elders were imperative to the resolution; that restitution was not measured in money or material possessions; that honor and dignity had to be preserved and recognized in the agreements; and that truly caring about people and culture was necessary to create safety for the parties—much different from this word “neutrality” most mediators wore like a shield to protect themselves from the parties they served.

I am currently on the Arizona Dispute Resolution Association (ADRA) board of directors and also the ethics and grievance committee. In 2002, I challenged the ethical standards and the professional code of conduct for mediators because I found there was a need to

recognize and validate the cultural diversity that exists in Arizona communities and, for that matter, throughout the United States. I had served on ADRA's credentialing committee in the early 1990s and was an advisory board member for the Colorado Institute of Justice's program for the development of a “Culturally Responsive Alternative Dispute Resolution for Latinos” in 1996. These two responsibilities only served to fuel more questions about culture and values and how the field of mediation was (not) addressing diversity.

I found, along with a growing number of others, that mediation was not meeting the needs of culturally diverse communities. The number of bicultural and bilingual mediators in this field was very small and, unfortunately, continues to be so today. Recruitment from these communities was slow or nonexistent. Those who were trained did not remain in the field because the model did not have the cultural relevance that they knew was needed when working within their communities. There were also others who were judged and stripped of their roles as mediators because they didn't “fit the mold of mediator.” Again, this was all based on standards that did not recognize culture. Or rather, the standards were based on only one culture, that of the dominant society. I then wondered, as a grievance committee member who was charged with writing policies to address improprieties by mediators, how these policies would impact bilingual and bicultural mediators if the policies were based on standards that only see one view and not multicultural views. There was a need to develop culturally compatible ethical standards and a code of conduct that would hold mediators accountable for their work within diverse communities and that would safeguard bilingual and bicultural mediators, as well as diverse parties who are directed to mediation by the courts.

We must all start working together to address the needs of the culturally rich communities in the United States by changing the mediation policies and standards that are currently in place. We should no longer ignore the ethical standards taught by our ancestors and families—to do so would be asking us to lose our souls.

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Assuring Quality

adapted by Alice M. Price

Mediation programs have proliferated in many sectors and a number of organizations have wrestled in recent years with how to assure mediator quality. What are the most effective ways to develop and measure mediator competency? What role does mediator certification play? Is there a difference if the process is voluntary or mandatory? If the mediators are community members who donate their time or paid professionals? The recommendations below are excerpted and adapted from a 1995 report by the Society of Professionals in Dispute Resolution (SPIDR) entitled “Ensuring Competence and Quality in Dispute Resolution Practices.”

1. The multiple paths to becoming a competent practitioner ought to be recognized, maintained and expanded. Some combination of natural aptitude, skills, knowledge and attributes acquired through an appropriate combination of dispute resolution training, education and experience is the best route to ensuring practitioner competence.
2. Context is a critical factor in determining the type and amount of training required. Where dispute resolution is mandated, programs have a higher responsibility to ensure that the training is thorough and that the competency of practitioners is assured through supervised practice.
3. Education and training programs must incorporate the core theories in addition to practical skills that underlie the basic steps or stages in the dispute resolution process being taught. Training programs should engage trainees in role plays and provide them with direct supervision and feedback during the role plays.
4. Practitioners have an ongoing obligation to upgrade their skills and knowledge and to work within their areas of competence. Competency includes understanding issues related to social justice, equity and diversity.
5. Practitioners should determine whether they possess the necessary skills, knowledge, attributes and cultural awareness required to be effective in a given context.
6. Substantive knowledge is important in some kinds of disputes, and in others is necessary for acceptability to the parties.
7. Institutional policies related to competencies should guarantee diverse panels.
8. Consumers should participate in evaluating the performance of practitioners and programs.

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Evaluating Mediators

John Conbere

Evaluation of mediators is difficult. Often there is no good way to get objective feedback. The clients usually do not know enough to offer feedback on the mediator's skills. Bringing in an outside observer may be awkward and, sometimes, makes the mediators more nervous than usual. The simplest way to evaluate a mediator is to evaluate yourself and, if you had a co-mediator, to evaluate your partner.

A word of caution about *evaluation*. For many people evaluation is synonymous with grading and leads to the old anxiety of not passing. I am using evaluation here to mean only this: giving yourself and/or your partner feedback on what worked and did not work in a mediation so that your skills improve. Good evaluation will be reaffirming of all of the successful things you did. Only in this context can most of us be open to hear what we might need to change. The risk of mediating without the discipline of constant evaluation is that one can fail to appreciate the good work one has done, as well as fall into habits that do not help the client.

Here is an outline to guide evaluations. Use it as soon after a mediation as possible so the information will be fresh. Build in fifteen minutes after each mediation to evaluate what happened. This outline has as a premise my belief that disputants need three things to occur in mediation: they need to feel reasonably safe, they need to believe they have been understood and they need to believe that the outcome is reasonably fair. I also think of mediations as having four stages: an introduction; a time to discuss what happened, to identify people's feelings and to identify the issues that need resolution; a time for creating a solution; and an ending.

Following is an outline for self-evaluation or partner-evaluation. Use it to improve the services you provide.

Mediation Assessment Inventory

Introduction

- Did you help the disputants feel comfortable and safe? How?
- Did you clearly explain your role as mediator?
- Did you get each disputant to agree to the rules or expectations for the mediation?
- During the mediation, did you help disputants meet these expectations without becoming too bossy?

What happened

- Did you make sure each disputant said all he or she wanted to say? How did you make sure of this?
- Did disputants say how they felt? Did you have to help them with the expression of feelings? If so, what worked?
- Did you make sure that you understood, and disputants knew you understood, what they said?
- Did you clearly identify what issues needed to be resolved? Did you check this out with the disputants?

Solutions

- Did you refrain from offering suggestions?
- Did you help draw out each disputant's interests when this was necessary?
- Did you help the disputants assess the agreement to insure that all disputants believed that it was fair, workable and specific enough?
- If you became stuck, what skills did you use to help overcome the problem?

Conclusion

- Did you do a good job writing up the agreement? What criteria do you use in assessing the agreement?
- Was anything apparently left unsaid as the session ended, and what might you have done about this?

Skills in general

- Did you use active listening skills well—including paraphrasing and summarizing what was said, mirroring feelings and reframing?
- How did you feel during the mediation? How did this affect your ability to mediate?
- If disputants reached impasse, what skills did you use to help them?
- Did you take notes and did this help or hurt you as you mediated?

Finally, what else might the mediators have done that would have helped the disputants?

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Grassroots Qualifications

Daniel P. Joyce

I am compelled to write this as a response to all this folderol about licensing, credentials and certification of mediators. As the director of a grassroots, community-based mediation center, I generally do not concern myself with the machinations of the “professional” dispute resolution community. However, I have learned that the “professional” community has been discussing matters that could have a profound effect on every grassroots, community-based mediation program in the country.

I am confident though that this is just talk because I am sure the “professionals” would not violate the fundamental principle of conflict resolution, which is that all parties with an interest must be included in the discussions. In case I am overlooked, here are my two cents’ worth.

Violates Fundamental Principles

The concept of qualification from an intrusive outside entity for grassroots, community-based programs is contrary to the fundamental empowerment principle from which these programs spring. The thought behind community-based programs is that everyone could and should mediate. The goal of a community-based program is to offer a viable alternative to court. Our belief is that through the management of the program (the board of directors) and the community members acting as mediators, the community becomes empowered.

The community that we service is racially, culturally, socially and economically diverse. Our volunteers come from all walks of life, from people who are homeless to professionals. They are high school dropouts to graduate degree people. Their age range is from 16 to 76. We have devised a mediation process that transcends educational and written skill level. Our mediators resolve interpersonal, intra-family and intra-community disputes.

Training

Mediators attend 16 hours of basic mediation training. Before actual mediation, they receive an additional 4 hours of role play supervised by skilled mediators. Then mediators are required to observe a live mediation. Mediators are evaluated by staff and experienced

mediators who make a mutual decision about the new mediator’s readiness to mediate. Experienced mediators serve on a panel. Also the panel is balanced along gender, race and age lines.

We have a system that has worked for 11 years. Our initial response to anyone who would try to tell us who could mediate for us, or what disputes we could mediate, would be to challenge their moral right to do so. Our experience and proven track record gives us as legitimate a claim to the crown of “expert” mediator as anyone.

Those of us who have been in this field for longer than it takes to get a J.D. or Ph.D. are very familiar with this dispute. I have ignored it because: 1) there is room for everyone; 2) “professionals” don’t want our clients; and 3) I do not have the resources, time or energy to do much about it. I took time to write because of the following incident.

At a recent workshop, a young lawyer with freshly minted cards cornered me and said, “I have a lawyer friend from another city. He said that they let people who are barely literate mediate. Don’t you think that gives the field a bad name?” This person was taking their first mediation course.

I do not know who is going to decide what for whom. When it is decided, I will be here working with the community volunteer mediators who in the past week:

1. Convened and facilitated a meeting with representatives from six social service agencies whose client was an elderly widow in danger of being evicted from her public housing apartment.
2. Mediated an inter-family dispute involving a “feud” between two Appalachian families. Both families had threatened to resolve the feud by shotgun.
3. Mediated an inter-family dispute where racism was identified as the underlying cause by both parties.
4. Mediated a dispute between a primary school teacher and 50 parents. Physical and emotional abuse were alleged.
5. Began to mediate an intra-family dispute between a terminally ill woman and her ex-husband with whom she has not spoken to in 11 years. She wants to plan their son’s future collaboratively.

Who other than the parties themselves has a right to judge the effectiveness of the mediations?

My fervent hope is that any “professional” credentialers whom this article reaches realize that there are many of us who toil in this field and have no desire to be part of your “profession.” You are presumptuous to

make decisions that will have a dramatic effect on grassroots, community-based programs; either in the short or long term. I challenge your moral and ethical right to do so.

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Model Standards of Conduct for Mediators

Lorraine Stutzman Amstutz and Howard Zehr

A “Model Standards of Conduct for Mediators” was prepared from 1992-1994 by a joint committee composed of delegates from the American Arbitration Association (AAA), the American Bar Association (ABA) and the Society of Professionals in Dispute Resolution (SPIDR). The model standards have been approved by the AAA, the Litigation Section and the Dispute Resolution Section of the ABA and SPIDR.

The following are excerpts from the “Model Standards of Conduct for Mediators” with some comments specifically on victim offender conferencing where appropriate.

The purpose of the initiative was to develop a set of standards to serve as a general framework for the practice of mediation. The effort is a step in the development of the field and a tool to assist practitioners—a beginning, not an end. The model standards are intended to apply to all types of mediation. It is recognized, however, that in some cases the application of these standards may be affected by laws or contractual agreements.

The model standards of conduct for mediators are intended to perform three major functions: to serve as a guide for the conduct of mediators; to inform the mediating parties; and to promote public confidence in mediation as a process for resolving disputes. The standards draw on existing codes of conduct for mediators and take into account issues and problems that have surfaced in mediation practice.

Self-determination: *A mediator shall recognize that mediation is based on the principle of self-determination by the parties.*

Self-determination is the fundamental principle of mediation. It requires that the mediation process rely upon the ability of the parties to reach a voluntary, uncoerced agreement. Any party may withdraw from mediation at any time.

- A mediator may provide information about the process, raise issues, and help parties explore options.
- A mediator cannot personally ensure that each party has made a fully informed choice to reach a particular agreement.

Impartiality: *A mediator shall conduct the mediation in an impartial manner.*

The concept of mediator impartiality is central to the mediation process. A mediator shall mediate only those matters in which she or he can remain impartial and evenhanded. If at any time the mediator is unable to conduct the process in an impartial manner, the mediator is obligated to withdraw.

- As stated above, impartiality is key. Mediators must be aware of their own personal agendas that they bring to the table. When working with victims and offenders, it will be difficult not to have feelings regarding one side or another. The key will be learning to recognize personal issues and decide whether you, as the mediator, can remain evenhanded throughout the process. If, for example, the mediator meets with the victim and realizes that his or her victimization is similar to an unresolved experience of the mediator, the mediator must decide whether he or she needs to deal with those unresolved feelings before proceeding.
- The mediator should guard against partiality based on the parties’ personal characteristics, background or performance at the mediation.

Conflict of interest: *A mediator shall disclose all actual and potential conflicts of interest reasonably known to the mediator.*

After disclosure, the mediator shall decline to mediate unless all parties choose to have the mediator present. The need to protect against conflicts of interest also governs conduct that occurs during and after the mediation.

- A mediator shall avoid conflicts of interest in recommending the services of other professionals.
- The mediator’s commitment must be to the parties and the process. Pressure from outside of the mediation process should not influence the mediator to coerce the parties to settle.
- An example of conflict of interest would be a case in which either the victim or offender is known to the mediator. The issues are twofold: first, whether the mediator believes he or she can remain impartial; and second, whether all parties have been informed

of the conflict of interest and agree that the mediator can proceed. In one case, where the mediator was known to the victim, all parties agreed to proceed and they later balanced the process by finding a co-mediator who was known to the offender.

Competence: *A mediator shall mediate only when the mediator has the necessary qualifications to satisfy the reasonable expectations of the parties.*

- Mediators should have information available for the parties regarding their relevant training, education, and experience.

Confidentiality: *A mediator shall maintain the reasonable expectations of the parties with regard to confidentiality.*

The reasonable expectations of the parties with regard to confidentiality shall be met by the mediator. The parties' expectations of confidentiality depend on the circumstances of the mediation and any agreements they may make. The mediator shall not disclose any matter that a party expects to be confidential unless given permission by all parties or unless required by law or other public policy.

- The parties may make their own rules with respect to confidentiality, or other accepted practice of an individual mediator or institution may dictate a particular set of expectations. Since the parties' expectations regarding confidentiality are important, the mediator should discuss these expectations with the parties.
- Where the parties have agreed that all or a portion of the information disclosed during a mediation is confidential, the parties' agreement should be respected by the mediator.
- Confidentiality should not be construed to limit or prohibit the effective monitoring, research or evaluation of a mediation program by responsible persons. Under appropriate circumstances, researchers may be permitted to obtain access to the statistical data and, with the permission of the parties, to individual case files, to observe live mediations and to interview participants.

Quality of the process: *A mediator shall conduct the mediation fairly, diligently and in a manner consistent with the principle of self-determination by the parties.*

A mediator shall work to ensure a quality process and to encourage mutual respect among the parties. A qual-

ity process requires a commitment by the mediator to diligence and procedural fairness. There should be adequate opportunity for each party in the mediation to participate in the discussions. The parties decide when and under what conditions they will reach an agreement or terminate a mediation.

- The primary purpose of a mediator is to facilitate the parties' voluntary agreement. This role differs substantially from other professional-client relationships. Mixing the role of a mediator and the role of a professional (for example, advising a client) is problematic, and mediators must strive to distinguish between the roles. A mediator should, therefore, refrain from providing professional advice.

Advertising and solicitation: *A mediator shall be truthful in advertising and solicitation for mediation.*

Advertising or any other communication with the public concerning service offered or regarding the education, training and expertise of the mediator shall be truthful. Mediators shall refrain from promises and guarantees of results.

Fees: *A mediator shall fully disclose and explain the basis of compensation, fees and charges to the parties.*

The parties should be provided sufficient information about fees at the outset of a mediation to determine if they wish to retain the services of the mediator. If a mediator charges fees, the fees shall be reasonable; taking into consideration, among other things, the mediation service, the type and complexity of the matter, the expertise of the mediator, the time required and the rates customary in the community. The better practice in reaching an understanding about fees is to set down the arrangements in a written agreement.

- This issue is especially relevant to victim offender conferencing when the parties are referred, in most cases, by a third party. Given the dilemma of who to charge, most victim offender conferencing programs do not charge a fee for mediations. When the offender is charged, there is the issue not only of ability to pay, but also whether the offender would choose to participate in a process where not only does he or she know they will be confronting his or her victim but must also pay to do so. Further, charging a victim seems to perpetuate further victimization. This issue, however, changes as mediators begin working on cases of severe violence where the mediation is often initiated by the victim rather than referred by a third party. In those cases, the person

initiating the services has been charged for services. This is an ongoing debate within the field of victim offender conferencing.

- This issue is relevant to victim offender conferencing when there is a question about whether the offender is, in fact, a voluntary participant and allowed to withdraw from the mediation even though he or she has been court mandated if they do not want to pay a fee.

Obligations to the mediation process: *Mediators have a duty to improve the practice of mediation.*

Mediators are regarded as knowledgeable in the process of mediation. They have an obligation to use their knowledge to help educate the public about mediation, to make mediation accessible to those who would like to use it, to correct abuses, and to improve their professional skills and abilities.

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Confidentiality

Sample Confidentiality Guidelines

Good Shepherd Neighborhood House

Mediation often reveals private information about the disputants. In order to protect the privacy of disputants, all details of the intake or mediation session are kept confidential. Information will not be revealed to anyone other than staff and volunteer mediators without the consent of the parties.

During the opening statement, the mediators reassure the parties that their case will not be discussed with anyone outside of Good Shepherd Neighborhood House. Mediators may find it helpful to take notes during the mediation session; however, all notes should be destroyed at the end of the session. The disputants may discuss the case with whomever they choose unless they agree to do otherwise.

There are a few, limited cases where confidentiality must be broken. These include situations where information regarding child abuse and other serious crimes comes up. These issues are not suitable for mediation and such cases will not be referred to Good Shepherd Neighborhood House. However, information regarding child abuse or felonies may surface during mediation sessions. If this happens, the mediator should:

- Inform the disputants that these issues cannot be mediated.
- As soon as the mediation session is over, tell the mediation supervisor what occurred.
- Contact the appropriate agency (as instructed by the mediation supervisor).

While discussing confidentiality during the opening statement, many mediators include the following statement: “Everything that is said during mediation is confidential, except those areas which by law I would be required to report, i.e., child abuse or serious crimes.”

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Confidentiality Rules in Flux

Alice M. Price

With the widespread use of mediation to settle—or attempt to settle—many state and federal court cases in the United States, the once accepted notion of mediator confidentiality has begun to be eroded by judicial mandates to open up mediation processes to court scrutiny. A similar move has been seen within federal regulatory agencies that utilize mediation for both internal and public disputes.

These issues have been debated and guidelines of various types have been proposed. In particular, in 2001, a Uniform Mediation Act (UMA) was developed by the National Conference of Commissioners on Uniform State Laws, and was forwarded to all 50 states for possible adoption. As of July 30, 2008, it has been enacted in ten states. The UMA proposes a variety of practice-related rules and ethical standards, including a list of potential confidentiality exceptions. The proposal can be found at <http://www.pon.harvard.edu/guests/uma>.

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Intervention from the Inside

Dean Peachey

But what you are teaching us doesn't make sense in our organization. As managers we know the individuals in the conflict, and we *do* have power over them," she said. The comment left me groping for a response in a workshop on mediating conflict in the workplace. My initial reaction was to feel slightly irritated—why did she have to complicate my presentation?

I no longer remember the woman's name, or even her face, but I am deeply grateful for her comment. Her words stuck with me and eventually prompted a path of discovery and re-examination in my work. In retrospect, her insight was so obvious. Why did it take me so long to see the pattern that was before my eyes?

I had long known that the way I practiced mediation was a somewhat peculiar artifact of Western society. Sally Engle Merry and other anthropologists have described in detail the dispute resolution customs in traditional societies that inspired North American legal and social reformers as they developed a movement for community mediation in the 1970s.

Merry (1989) has done a particularly good job of exposing just how different the North American practices are from the tribal moots upon which they were supposedly built. She points out that traditional mediators in "nonindustrial" societies often occupied positions of power in the community and wielded significant clout (physical, familial, economic, or military) over those in dispute. Moreover, the mediator was not a detached observer from another community but a village or clan member who frequently had an investment in the outcome.

John Paul Lederach has neatly laid out the distinctions between what he calls "insider-partial" and "outsider-neutral" mediators (Wehr and Lederach 1991). I found that I did not need to lecture on the differences, that students and workshop participants could easily generate the two columns of the chart once I explained the headings.

When I worked with Native Canadian groups, they could readily identify where the traditional ways of their elders differed from the emphases of white society. The aboriginal uses of talking sticks, circles, elders and the role of clans dovetailed well with Lederach's description of insider-partial peacemaking practices.

After all of this I thought I understood the differences between insiders and outsiders as mediators, and the cultural determinants of when each was appropriate or inappropriate. Then five years ago I was confronted by the woman in the workshop. As I reflected on what she said, I began to understand in a new way that the vast majority of mediation or peacemaking that takes place in Canada and the United States on a daily basis fits closely with the insider-partial definition. In the home, the school, the congregation and the workplace, the third-party problem-solvers are often parents, teachers, elders, pastors and supervisors.

These "interveners" have an ongoing relationship with the disputants. Many times they are affected directly by the outcome of the dispute. Often they have influence over the parties or bear some responsibility for the conduct or performance of the people in the dispute.

Why had I been so quick to buy into the outsider-neutral concept of mediation? Was it possible that in fact a great portion of my culture was more in tune with using internal peacemakers than external interveners? I nearly choked one day on the irony when I realized that I had elicited cultural assumptions about handling conflict from Aboriginal peoples, but I had *prescribed* them for my own culture. And why not? After all, I know and understand my own culture, don't I? No need to use an elicitive approach when with my own people.

As the scales gradually fell away from my eyes, several things came into focus for me. I looked in a new way at the resistance that community mediation programs commonly encounter in persuading people who desperately need help to use the program's free services. Maybe the resistance is not just a matter of people's aversion to dealing with conflict or of not understanding mediation; maybe it has something to do with trying to sell stressed people a model of mediation that does not fit their own intuitions about how a situation should be handled.

I looked again at the hesitation of church groups to invite an outsider into their midst to see and hear the grindings of their internal machinery. Even when they want someone who can stand outside their immediate dispute, they want someone who stands within their

experience of faith and who brings recognizable spiritual resources to the task.

I remembered the times when people asked me to work with their conflict *because* they knew me and trusted me. I thought of the leadership group in the congregation where I worship, the friends whose joint house purchase and intentional community had soured, and the roommates who felt they could no longer live together. These were people who had invited me into their pain and confusion because they had a relationship with me and who might never have sought help from a stranger.

Not for a moment would I suggest that all peace-making should be done by insiders. There are many occasions, particularly when the conflict has escalated to a high level of intensity and groups have become rigidly fixed into either/or camps, that outside intervention is essential. I have seen congregational leaders and workplace supervisors become badly wounded when their attempts to mediate foundered. I am still gripped with caution when two friends call and ask if I can mediate the dispute in their business partnership.

But I am beginning to wonder how much of our contemporary penchant for the outsider model has resulted from the self-interested need to create a market for our own services. As the coordinator of a community mediation program for a number of years, I certainly participated in selling an outsider model. And as someone operating a conflict mediation and consulting business today, I continue to have a vested interest in promoting that model. It is, after all, a model that pays my mortgage.

How do we blend old and new, and provide ways for those who are close to the people caught in a web of conflict to have a valued role? A married couple has come to me recently to discuss an overwhelming conflict in their family. As an outsider I cannot come close

to resolving the myriad issues, and they can ill afford to pay for all the time that would be required even if I could. So, I am thinking of convening a circle—comprised of family members, pastor, lawyer, financial advisor, therapist and friends—to encourage and enable the people already involved with this family to work together on a resolution to the conflict.

It takes time for a middle-aged dog to learn new ways, but I am excited and energized by my current quest to understand better the roles that insiders can play. I have been talking to friends and colleagues, collecting stories and reading the literature with new eyes.

When I started this quest, a key question for me was, “When is insider mediation appropriate, and when is it not?” As I continued, a series of other questions and observations came to the fore.

Can we learn to view relationship with the parties as a resource rather than as an impediment or something to be minimized?

In one situation, a pastor described how he struggled to figure out what his role should be when he met with two disputing members of the congregation he served. Finally he knew the answer. “I would be their pastor,” he writes. Eureka! He is being true to his relationship, maximizing it and not trying to contort it into being anything less or more than what it is.

Trying to work at conflict when we are connected to the people in conflict is fraught with danger.

If conflict is a danger zone, the mediator is a ready target. “The hardest blow of the fight falls on the one who steps between,” observes a Scottish proverb. People in conflict can and will engage in hurtful, combative behavior. When I am an outside mediator, I can suffer attack and humiliation, but after a night or two of sleep and tender words from my wife, the knot in my stomach will unwind and I will be no worse for exper-

Insider-partial mediator

Enters dispute through trust.

Legitimacy based on tradition and connections.

Qualifications are station in life or role in community.

Allows participation of primary and secondary parties.

Process can be public or semi-public.

Focus is on relationships enabling the social group to function.

Outsider-neutral mediator

Enters dispute through functional role.

Legitimacy based on neutrality, efficiency and effectiveness.

Qualifications are specialized or academic training, certificates, etc.

Limits participation to primary parties.

Privacy and confidentiality seen as essential to success.

Focus is on outcome or settlement.

rience. But if that attack comes from people connected to me, it is a different matter.

It is easy to understand why in some settings the internal mediator represents a powerful position. Such power can be essential if the mediator is to avoid being pummeled.

Moving from a triangle to a circle changes a lot more than geometry.

Interaction in a mediation is frequently depicted in a triangle comprised of a mediator and two individual parties. Bringing in other people such as church or community elders, family members or others affected by the conflict moves the configuration into a circle. The extra people in the circle provide safety, both to the primary parties and to the mediator. The circle shares responsibility for making things right.

Finally, and foremost, building peace in one's own setting involves a lot more than skill, strategy and technique.

It requires having enough self-knowledge and awareness to be a *presence* that helps hurting protagonists transform their relationships without getting sucked into their morass.

Cultivating and working from a spiritual center, and putting as much emphasis on who we are as we place on what we do is essential. Ron Kraybill wrote to me in an e-mail conversation, "distinctions between skill and being make modest sense only in Westernized settings where people are accustomed to focusing on skills and professional status rather than identity." He continued, "In much of the world, who you are, who you are identified with, and what values you represent have vast impact on what you will be able to accomplish."

I now suspect that Ron's statement rings true in every part of the world.

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The Illusion of Neutrality

Ron Kraybill

What the parties decide to do is their responsibility. Be entirely neutral at all times.

LABOR MEDIATOR'S ADVICE TO AN INTERN

The duty of the churches is to be agents of reconciliation. We must avoid taking sides and be neutral.

CHURCH LEADER COMMENTING ON A COMMUNITY CONFLICT

Yes, one side has launched most of the attacks . . .
but we are trying to make peace here and must maintain our neutrality.

MEDIATOR RESPONDING TO CONCERNS OF NEGOTIATING PARTY

Is “neutrality” ever a constructive goal in conflict? I believe the answer is no. Were I able, I would remove the word neutrality from the English language for it has caused much injury to the cause of peacemaking. It confuses many mediators with a false understanding of their task, it blocks many sincere leaders from acting on their own deeply held principles of justice and it damages the credibility of the entire enterprise of peacemaking in the larger community.

People who try to be “neutral” do so, I believe, because they think that if they want to work for peace they have no alternative. There are alternatives and we shall propose several. But first, consider two objections to the concept of neutrality.

Problems with Neutrality

Neutrality is an illusion: there is no such thing as a detached or objective observer. Natural and social scientists have in recent years come to recognize this as a given. Even if I sit in a corner in complete silence while two people fight, I communicate assumptions or values that influence the situation such as “screaming is acceptable” or “this conflict and the things being agreed upon here are of no concern to others,” etc. Rather than pretend to have no values or to be neutral, people seeking to be a constructive presence in any conflict should learn to be reflective about what values motivate them and be open about those values with others.

Another objection to neutrality is that, in the words of Father Albert Nolan of the Institute for Contextual Theology in Johannesburg, “it makes reconciliation an absolute principle that must be applied in all cases of conflict” (1990). Neutrality, says Nolan, assumes that

all conflicts are based on misunderstandings, that blame lies equally on both sides and that all that is needed is to bring the two parties together and the misunderstanding will be rectified. In truth, Nolan points out, these assumptions are wrong in some conflicts. Sometimes “one side is right and the other wrong, one side is being unjust and oppressive and the other is suffering injustice and oppression. In such a case . . . not taking sides would be quite wrong” (1990).

Alternatives to Neutrality

Rather than hiding our values, peacemakers can be explicit about them. After all, we are the ones who call for unusual responses from others. We, more than anyone else, need to be clear and articulate about what motivates us and what others must do if they are to participate in the peace we seek to support.

American conflict practitioners James Laue and Gerald Cormick (1978) suggest that any social intervention should be guided by core values of freedom, justice and empowerment. Of these criteria, justice is the primary one since freedom and empowerment are actually pathway values leading to the creation of justice. For Laue and Cormick, “the single ethical question that must be asked of every intervenor in community disputes at every decision-making point in the intervention is: Does the intervention contribute to the ability of relatively powerless individuals and groups in the situation to determine their own destinies to the greatest extent consistent with the common good” (p. 217–18).

Thus intervenors must first analyze the conflict in its context and then choose an appropriate response. Laue and Cormick identify five roles commonly played by intervenors:

1. The activist works closely with the powerless or non-establishment party in a conflict. He or she is usually either a member of the non-establishment group or closely aligned with that group.
2. The advocate plays a similar role to the activist and promotes the interests of a particular side. But the advocate remains more detached, serving as an advisor or consultant to the group, rather than identifying with it personally.
3. Mediators “do not have their base in any of the disputing parties and thus have a more general, less party-parochial view of the conflict . . . the mediator is acceptable at some level of confidence to all of the disputing parties” (p. 214).
4. The researcher may be “a social scientist, a policy analyst, a media representative or a trained lay observer who provides an independent evaluation of a given conflict situation. The researcher perceives the conflict in its broadest context and is able to empathize with all positions” (p. 214).
5. The enforcer brings formal coercive power to the conflict. The enforcer is often “a formal agency of social control in the larger system within which the conflict is set—the police or the courts—or perhaps . . . a funding agency or an arbitrator” (p. 215). Though elements of this role appear in many conflicts, one rarely sees it in pure form.

Advocacy as an Alternative to Neutrality

Another alternative to neutrality begins by broadening the definition of advocacy and recognizing that we are advocates of something all of the time, whether we are conscious of it or not. The question is not if we are advocates, but rather of what. From this perspective we can identify at least four kinds of advocacy.

A party advocate takes the side of one party and pushes loyally for its advantage. “My country/my party/my friends—right or wrong.” An outcome advocate works for an outcome he or she deems desirable, without regard as to who happens to benefit from this outcome. A process advocate promotes neither party nor outcome, but rather a particular way of deciding things or getting things done. A values advocate champions concepts or principles: democracy, fair play, the rule of law, human rights, etc. Thus peacemakers can choose forms of advocacy that enable them to define a clear perspective without falling into the blind partisanship of party advocacy.

Mediator as Process & Values Advocate

Mediators should view themselves as passionate process advocates. As process advocates, we should be clear within ourselves and articulate in describing to others the nature of the processes we facilitate. We should be prepared to walk away decisively, if necessary, from any situation that does not support the values we stand for. Our commitment to justice, freedom and empowerment will enable us to take a clear and explicit stand on a variety of principles regarding any process which we facilitate:

- *Conduct of participants*: Should respect the dignity and equality of all persons in the negotiations as well as those affected by the negotiations.
- *Parties represented at the table*: No negotiations should proceed without serious effort to involve all parties with a legitimate interest at stake.
- *Negotiator mandates*: Negotiators must hold a genuine mandate to negotiate on behalf of the people they claim to represent.
- *Access of constituencies to decision-making*: Final decision-making power must be in the hands of the people most affected by decisions taken at the mediation table, either directly or through legitimate representation.
- *Access of negotiators to constituencies*: Negotiators must have free access to the people they are representing.
- *Power*: Must be relatively equal if conflicts are to be genuinely resolved rather than merely temporarily suppressed. Mediators must acknowledge the realities of power and recognize that power is a relative and constantly changing phenomenon deriving from many sources. Mediators should analyze carefully the timing of their efforts so as to ensure relatively equal power. They should also recognize and support the necessary role of activists and advocates and be ready to decline to mediate if power imbalances are too high.
- *Problem-solving approaches*: Mediators should be articulate and persuasive in advocating processes of negotiation and decision-making that shift the dynamics of interaction between the parties from simple positional power maneuvering (which only postpones real resolution) to genuine grappling with the legitimate needs of each side.
- *Information*: All parties should have equal access to critical information.

-
- *Accountability*: A mediator should hold all parties accountable—to other parties at the table in living up to agreements and in being honest about the extent to which they can make binding commitments, to their own constituencies in accurately and competently representing constituency concerns and interests, and in keeping constituencies informed and appropriately involved in the decision-making process.

The challenge for all mature human beings, and peacemakers in particular, is to stand for something, to have opinions and goals, and to work constructively for their implementation. We are not neutral, but then, what are we? Impartial, fair, principled and committed to the legitimate needs of all. Many words will do, but let us never accept a description that robs us of the heart of our humanity: our identity and our values.

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Mediation and Domestic Violence: Two Views

*Is mediation ever appropriate to resolve any of the issues
between persons where domestic violence has been perpetrated?
What follows is two contrasting views.*

“No”

Rose Garrity

There are many who believe that mediation is a viable and reasonable tool for resolving disputes, and who include domestic violence cases as “disputes” that can and should be addressed with mediation. Many practitioners believe that while they cannot mediate the violence, they can mediate other issues; such as custody, visitation and property settlement. Proponents of using mediation say that mediation is “one tool among many”; that mediation encourages cooperation instead of litigation, community building instead of adversarial proceedings, empowerment instead of being made spectators in a court process—and that it is “restorative justice” instead of “retributive justice.”

Mediating any situation between partners where abuse has been perpetrated is mediating violence. The victim of abuse walks in fear through every day, even when appearing to be calm and safe. The continual threat of the repetition of abuse functions to keep a victim controlled; as do “reminder” incidents such as smashing a wall, threatening a relative or child, breaking a victim’s possessions or talking about suicide—all while invalidating the victim in dozens of subtle and overt ways. Domestic violence is a pattern of behavior in a relationship, not a single act.

An abuser’s behavior is, despite common misunderstandings to the contrary, very controlled and calculated to get him or her exactly the results he or she wants. Abusers are very different from what they appear to be, and we cannot safely deal with them based upon appearances. They lie, deny, minimize and hide their abusive behavior very creatively.

To use mediation is to subscribe to the mistaken idea that abuse is related to “misunderstandings” or a lack of communication. If discussion and compromise—the mainstay of mediation—could help in any way, most domestic violence situations would be resolved long ago because victims of abuse “discuss and compromise” constantly. Mediation assumes both parties will cooper-

ate to make agreements work—the victim has always “cooperated” with the abuser and the abuser never cooperates. A person who has been terrorized by an abuser is not free to participate in a mediation process with him or her, even if the mediator(s) assume or believe that they “understand.” Being truthful about needs or experiences in the abuser’s presence or proximity practically ensures that the victim is in more danger later.

The mediator is left with a no win situation: either the victim’s danger is increased or the victim is not fully or truthfully participating, or both. The well-meaning mediator may actually encourage the victim to feel safe enough to share information that could seriously compromise her or his safety. In any case the whole intent of mediation is lost. To engage an abuser and a victim in a process that implies equal responsibility is damaging to both. The victim is once again made to feel responsible for the abuser’s behavior, and the abuser is allowed to continue to not accept full responsibility for his or her behavior choices. Any mediated agreement that addresses abuse or other issues when abuse is also present risks supporting abuse: if a contract is predicated upon an abuser’s agreement to not abuse or control it must be countered against the victim’s agreement to do or not do something. If the victim “fails” to live up to the agreement, the abuser then, in effect, has permission to abuse her or him.

Helpful and safe domestic violence interventions look to expand the victim’s locus of control. When we impose a course of action that we own, be it mediation, couples counseling or other endangering interventions that collude with the abuser, we contribute to the abuse. The mediation or dispute resolution program that cares about justice, fairness and safety will carefully avoid mediating any issue between parties where domestic violence has been perpetrated.

With thanks to Barbara Hart along with Susan Schechter, Beth Richie, Ellen Pence and other foremothers of the movement on furthering understanding of battered women’s realities.

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“Yes”

Kathleen O’Connell Corcoran

The issue of whether mediation is appropriate in cases where there has been spousal abuse is of great concern to mediators, advocates and policy makers. Historically, women’s advocates have deplored mediation and the preferred policy is to excuse domestic violence cases from mediation. The protocol developed by the Oregon Domestic Violence Council states: “Mediation is not an appropriate process for all cases and an agreement is not necessarily the appropriate outcome of all mediation.” The State Justice Institute policy holds that (1) where domestic violence is present, past, or feared, the case should be presumed inappropriate for mediation, (2) the screener should recommend the victim against mediating, and (3) mediation shall occur only if requested by the victim, and then only with specially trained mediators and with the option of having an advocate present.

The prevailing concerns are that a cavalier attitude exists regarding domestic violence, that mediators may be mediating the abuse (no hitting if dinner is ready on time), that mediation (and not just an orientation) is being mandated in cases where there is not equal bargaining power, that mediators are not screening for domestic violence issues, that mediators are unaware of the dynamics and that mediators are not adequately protecting victims. There is additional concern that mediation is too brief to adequately address and counteract the effects of long-term abuse and the socially sanctioned domination of men over women that results in submission, placating, obliging, and accommodating behavior on the woman’s part. Finally, there is a strong belief that batterers must be punished and not allowed off the hook in mediation.

In any consideration of whether mediation is appropriate, it is useful to consider the efficacy of the existing options. Any action that automatically denies victims access to mediation, necessarily imposes the legal system that has historically failed battered spouses. Women who leave abusive relationships without their children have been accused of abandoning the children. Women

who leave abusive relationships with the children have been accused of hiding the children. Until recently, restraining order requests and violations have not been taken seriously. And women often report feeling revictimized by the harshness of the system. The traditional adversarial process increases hostility and threat as demonstrated in the case of Allen McGuire in Springfield, Ore., who in November 1993, killed himself and his daughter after his wife returned home from an appointment with her attorney and told him that her lawyer said he’d never get custody of the child. The legal system has not been shown to be significant in ending the cycle of violence, learning anger management techniques, increasing communication skills or otherwise empowering both parties of abusive relationships. Batterers’ treatment and mediation have been found to make a contribution toward violence reduction. In a study involving over 250 separating and divorcing parents, Desmond Ellis and Noreen Stuckless (1996) found mediation makes a greater contribution toward preventing post separation abuse of women by their ex-partners than lawyer assisted negotiations. In addition, the study found women in the mediation sample were more successful in obtaining the amount of child support they wanted than the female clients of the lawyers in the study. Mediation clients made more informed choices than the lawyer clients.

In any consideration of mediation where there has been a history of domestic violence, mediators are asked to consider a triage approach: there are cases that can be mediated with no special considerations, there are cases that should not be mediated and there are cases that can be mediated with special considerations given to safety and negotiating ability.

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From the Inside: An Aboriginal Community Responds to Sexual Abuse

Barbara Daté and Lorna Monkman

The Community Holistic Circle Healing (CHCH) Program, a small First Nations program in the central Manitoba community of Hollow Water, has developed a powerful “insider-partial” process to deal with a deeply painful issue in their own community.

Community leader Berma Bushie and Elder Lawrence Houle describe how, over several generations, the small community of Hollow Water has suffered the dismantling of most of their cultural, governmental and familial traditions by the surrounding dominant culture. About 15 years ago, a group of community leaders gathered to discuss their community problems including patterns of violence such as substance abuse, suicide, property damage, etc. Through a unique community process, they decided to confront the pervasive problem of sexual abuse.

As they began to address this problem, the community leaders worked intensively at healthy team functioning. During the nearly two dozen team training programs, they came to the dramatic realization that most of the team members had silently suffered from sexual abuse themselves.

The breakthrough for the team was to recognize that in order to help their community find justice and healing, they themselves needed to participate in a healing process. Only then could they offer a program to others caught in the cycle of abuse.

The process they initiated uses traditional Aboriginal sharing circles. When a situation of sexual abuse is disclosed, the abuser is confronted in an intense process. There are many people who take part in the sharing circles, sometimes up to 200 or 250. They include the victim, the offender, their families, their support workers, clergy, teachers, professional helpers, elders and a judge representing the legal system. Members from the victim and offender teams facilitate the process.

A feather is passed around the circle as each person speaks. In the first round, people state why they are present. In the second round they speak to the victim, in the third round they speak to the offender and in the fourth round they make recommendations to the judge

about what should happen to the offender. Usually that recommendation includes keeping the offender in the community in order to continue being part of the healing process.

Since the beginning of the project, the CHCH has met with more than 48 abusers and has successfully guided them through the process of healing. Less than five offenders have been handled through the routine adversarial court process that usually results in a prison sentence.

The unique aspect about Hollow Water is that the community itself recognized the need for healing and they realized that for true healing to occur, community members had to find their own solutions to the problem instead of relying on the outside system who were mostly dominant culture folks. This system historically had not provided healing solutions but rather incarceration and a continuation of the cycle of oppression and abuse.

Bushie observes, “The main difference in Hollow Water now is that we can’t blame the system, our white brothers, the residential schools. The quality of life in my community is my responsibility. It is a hard message to come to grips with.”

“Before you bring in any outside people,” she continues, “you first have to make sure the process is controlled by the community and that there is help for the victim and the offender from within. You have to educate the outside system that they are invited to participate but that it is not OK to take over.”

The experience of the Hollow Water community has been helpful to us in other settings. When we form a response team, whether it is for training or intervention, we include people who have previous and current relationships with all parties. When such relationships exist, we are better able to develop rapport, assess the situation, design and implement helpful processes and build healthy communities.

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Resources for Further Study on Standards and Ethics for Practice

compiled by Kristin Reimer

Bazerman, Max, H., ed. *Negotiation, Decision Making and Conflict Management*. Cheltenham, UK: Edward Elgar Publishing, 2005.

This three-volume collection brings together 89 articles published between 1950 and 2002. They are organized into themes including individual biases, motivated biases, and fairness and justice.

Landau, Barbara. *Family Mediation and Collaborative Practice Handbook*. Toronto: Lexis Nexis Butterworths, 2005.

A look at the procedures used in mediation and collaborative law. Includes sections on training standards and standards of professional practice.

Lovenheim, Peter, and Emily Doskow. *Becoming a Mediator: Your Guide to Career Opportunities*. Berkeley, CA: Nolo, 2004.

A guide to the different career opportunities available to mediators that includes standards of conduct.

Menkel-Meadow, Carrie, and Michael Wheeler, eds. *What's Fair: Ethics for Negotiators*. San Francisco: Program on Negotiation and Jossey-Bass, 2004.

Including contributions from a wide variety of practitioners and scholars, this book explores the duties and values of negotiation beyond formal legal requirements.

Taylor, Alison. *The Handbook of Family Dispute Resolution: Mediation Theory and Practice*. San Francisco: Jossey-Bass, 2002.

A practical and comprehensive guide including a section on professional ethics and standards.

Thomas, Anne B., ed. *Making the Tough Calls: Ethical Exercises for Neutral Dispute Resolvers*. Washington, DC: SPIDR Ethics Committee, 1991.

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CHAPTER 8
Pedagogy



Introduction to Chapter 8: Pedagogy

The fields of conflict transformation and restorative justice continue to struggle to find the word or words to define and describe themselves.

In the field of conflict transformation, we have used conflict resolvers or managers, mediators, facilitators and conciliators. Often these terms are used to indicate the perspective and/or philosophy of the practitioner. Yet we question whether mediation should be used in situations where a power differential is evident and will have an impact on the outcome.

In the field of restorative justice, we struggle with whether victim offender mediation is an appropriate term in light of the circumstances in which an offense has been committed. How can the crime be mediated? We also wonder whether the principles of restorative justice can apply beyond the criminal justice system.

Although we will continue to discuss these critical issues in each field, we seem to agree that training is vital for all practitioners. Therefore, it is important for trainers to be skilled in the techniques and in using the tools that would enable practitioners to be successful.

In this chapter, you will be introduced to a broad range of basic training techniques, from developing trainings to creating and debriefing role-plays. By no means is this chapter exhaustive. However, our hope is that trainers will be inspired to look deeper and search broader in order to fill their trainer toolbox.

*Michelle E. Armster
Co-Director
MCC U.S. Office on Justice and Peacebuilding*

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Trainers as Tools for Transformation

Michelle LeBaron

The plain fact is that the planet does not need more successful people.
But it does desperately need more peacemakers, healers, restorers, storytellers,
and lovers of every kind. It needs people who live well in their places. It needs people of
moral courage willing to join the fight to make the world habitable and humane.
And these qualities have little to do with success as our culture has defined it.

DAVID ORR, *EARTH IN MIND*

Successful Trainers

The qualities Orr (1994:12) lists have a great deal to do with success in the world of conflict resolution training. We engage in a dance of change with participants as we explore those patterns that keep us at a distance and determine what we can do to close the gap. As conflict resolution trainers, we are tools for transformation, engaging the deepest part of ourselves in the enterprise. Our brothers and our sisters are those who work toward similar or related ends: the diversity and anti-racism trainers, community builders and those who create zones of peace through advocacy and multitrack diplomacy. Together, we bring passion, faith, respect, experience and an understanding of the importance of congruence—of “walking our talk”—to our work. It is these elements that I see woven through the diverse approaches of the trainers who have touched me most deeply and influenced my work.

This article draws from real and imagined conversations among us as conflict resolution trainers about what moves us to do this work, about how we image it and what meaning we attach to it. It is about commonality. For the curious, there are countless articles about differences in approaches to training in journals devoted to training methodology and philosophy. This exploration peeks beneath this literature to the stuff of which the friendships and respect that connect us as trainers are made. It is an inductive exploration of where the shining trainer goes for inspiration and ignition; of the vision that sustains us. I offer it in the hope that these words will speak to the cleric and the humanist among us, for good trainers cover the spectrum of spiritual beliefs.

Agents of Change

Often, we see our work as more than a job; it is our passion, a focus that encompasses the personal and profes-

sional in our lives. We are motivated by the desire to create and sustain a better world through conveying skills and hope, and we are children-of-the-sixties in spirit, believing that we can make a difference. Our work brings us inevitably into contact with the profound; it has to do with the construction of meaning, with relationship and with the too often unplumbed human capacity for change and transformation.

Training is about change. It is about the acquisition of knowledge and skills, but it is more than that. We invite participants in our training to examine their conflict-related behavior and to entertain a paradigmatic shift from an adversarial, competitive mode to a cooperative, problem-solving mode. We offer the vehicle of authentic and safe exploration within the training setting. We offer a chance to change the flow of the river and to challenge the destructive effects of conflict. In countless conversations, I have heard trainers, teachers and consultants in conflict resolution remark on the way that this work turns the heads of participants, and ultimately touches hearts.

The best conflict resolution training is never the one-way dissemination of information. It envelops everyone involved, and draws on the best that everyone involved can bring. One metaphor we can use for our training role is midwifery. Like the midwife, we are bridging worlds. To do this well, it is essential to cultivate self awareness, without which sensitivity to cultural and world view differences is impossible. This self awareness involves asking ourselves questions about the roots of our commitment to this work, how we define success in training, what values we model in training, which personal interests we seek to fulfill in training, and how we can devise frameworks for training that will become crucibles for the emergence of authentic voice, both the participants’ and our own. It is through exploring and knowing the answers to these questions that we can engage freely with participants.

Knowing and trusting ourselves and others allows us to let go of the need to control and of the ego-involvement that stands as a barrier to authentic dialogue.

Dialogue

The best training invites dynamic dialogue, for only through dialogue can the ideas presented be tested, adopted and integrated. Conflict resolution processes function in community and need to be experienced in community. As trainers, we seek to create a safe community within the training setting where vulnerability, risk-taking and reality-testing can coexist. We seek to create an environment for critical analysis, described by Paulo Freire (1973) this way:

Born of a critical matrix, dialogue creates a critical attitude. It is nourished by love, humility, hope, faith and trust. When the two poles of the dialogue are thus linked by love, hope and mutual trust, they can join in a critical search for something. Only dialogue truly communicates. (P. 45)

When the threads of dialogue and faith run through our work, we know that there is no one formula that will work for all people in all settings. We seek to embody flexibility and the facility to smoothly modulate ideas into different contexts. Many of us are deeply concerned with tracing the natural course of resolution efforts in the cultural and/or professional setting of our participants, jointly examining old maps and creating new maps. It is this marriage of the resources and experience we bring with the wisdom and insight of the participants that makes our work so exciting. It is the integration of the synthesis into lived experience that makes it real.

Trainers who have ongoing practices in their area of expertise bring a richness to the process that cannot be brought any other way. It is not just the stories that can be told and the connections that can be drawn from theory to practice, and from research to application that make this true; trainers who use the skills and the knowledge they seek to convey bring a unique depth and appreciation for the skills in the often messy and unruly reality in which we live. Because they live the skills, they know the blind alleys, the pitfalls and the pinnacles along the way. In short, there is congruence between the material they present and what they do as professionals.

We are best able to act as effective midwives when we are congruent in all facets of our lives. Congruence in this sense refers to modeling the values and the skills espoused within the training setting. But the impor-

tance of congruence extends beyond the boundaries of the training setting and even the professional setting. It relates to the alignment of our thoughts, beliefs, values and actions. Nothing can enhance the impact of well-conceived and delivered training more than a trainer whose life is clearly lived in accordance with the espoused values of conflict resolution. Nothing can detract more than one who is not.

This can be seen clearly in co-training situations. Participants in training pick up both the messages conveyed through lecture, demonstration and exercises and the meta-messages. If the trainers are not seen to be working together with faith in each other and in the participants, and if there is tension between them or within them, this will negatively affect the training experience. In some cases, it will interfere so powerfully that the intended message is significantly undermined.

I am reminded of a training I observed where the differential treatment of male and female participants by the male presenter became such a preoccupation for the women in the class that they stopped listening to the substance of lectures. Women felt minimized and objectified in class discussions and interactions, and gradually began to participate less and less. At breaks, a pattern developed of several women clustering together to discuss the latest instances of differential treatment and how to respond. These women began to speculate about the nature of the trainer's relationships with women outside the training setting. Like it or not, we do not leave ourselves at the door when we don our training hats. And neither do participants. In this case, the value of respect for all participants was undermined by the presenter's behavior. The lack of congruence between the presenter's expressed views and his behavior made it unsafe to risk engaging in real dialogue.

Beyond Dialogue

Engaging in authentic dialogue is a process that uses more than our rational selves and longs for more than our words. We engage our creative and visioning capacities when we focus high quality attention on our partners in dialogue. To honor and "ground" the experience of dialogue, ritual and the use of nonverbal media are helpful. Music is one form that is particularly potent. Music, a powerful metaphor for both conflict and harmony, can be used to "frame" and set a climate for reflective time; it can be used to mark transitions, to enliven or to diffuse. It can be a vehicle for sharing and appreciating cultural difference. Silence, too, is a powerful tool for grounding and integrating.

It is with the idea of authentic dialogue in mind that I have moved away from the use of pre-devised role-plays in my training. Increasingly, I am convinced that the power and authenticity of lived experience is a far richer ground for sharing than the scenarios I can devise, no matter how clever. In multicultural environments (and all environments are multicultural in one respect or another), this has the added advantage of not inviting participants to stereotype other people through uncomfortable portrayals of characters.

This relates to the significance of using the whole self in the training enterprise. Activities such as sculpting (where participants physically arrange themselves to show relationships and patterns of conflict behavior; allowing for experimentation and “trying on change” when the arrangements are shifted) and the third chair technique from counseling (where the participants actually change chairs as part of an activity, signifying becoming another and truly “sitting in their chair”) have extraordinary impact. Shifting out of the focus on the verbal—overwhelmingly the medium of choice for trainers in the United States—can facilitate the engagement of other resources of the self including the creative energy that flows when pain or long-held patterns are released.

Ripples

There are times when as a trainer I have been nervous. There are times when I have been acutely aware of being on stage. But it is when I lose myself in the process, when I work with the higher energy that guides me to a

true joining with the participants, that the real potential is tapped. The focus becomes reciprocal curiosity and respect for the indigenous wisdom, intuitive common sense and experience of all participants. It is when the balls of our world views are rolled together through dialogue that this joining can occur.

But even with all of the idealism we carry, we still pause to ask why do we do what we do. Picture the conflict resolution trainer: logging many hours on airplanes; eating at irregular intervals; missing her or his family; preoccupied with unreliable photocopiers and computers that crash and take the latest version of the training materials with them. We stand before the participants in all of our humanness, knowing often that we are setting out together to accomplish a six month job in six days. We draw on our experience, on the powerful connections of research and theory to practice, and we draw on our hearts. The secret we will never fully know in its entirety keeps us doing what we do: the secret of where and how far the ripples of the impact of the training extend.

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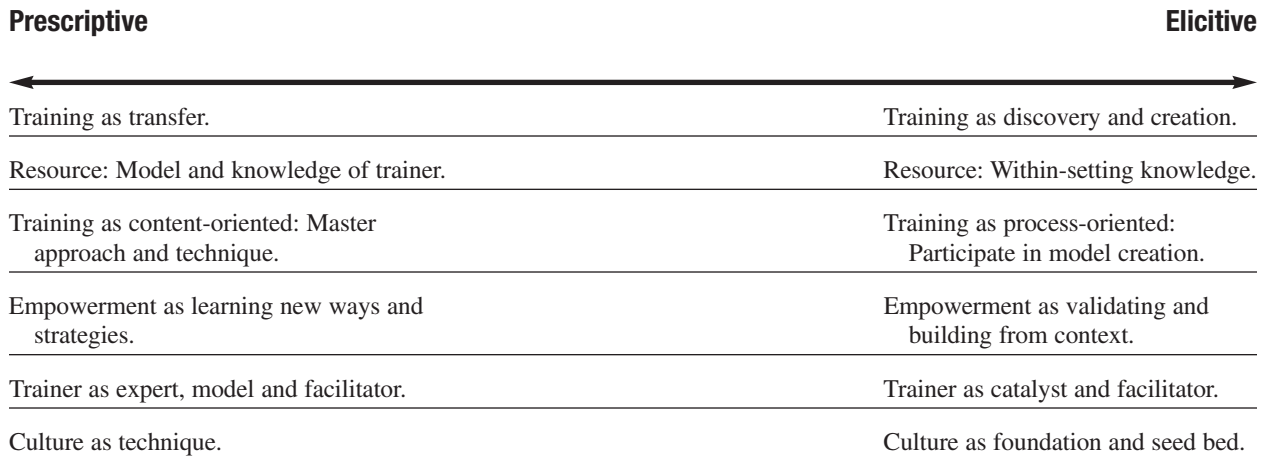
Prescriptive/Elicitive Training

John Paul Lederach

John Paul Lederach has articulated the distinction between training approaches that impose (prescribe) a conciliation model and the trainer/mediator’s knowledge, and approaches that draw out (elicit) the common sense knowledge of the trainees/disputants in order to facilitate the creation of new, culturally appropriate models.

This diagram contrasts the “pure” prescriptive and “pure” elicitive approaches. As Lederach stresses, all training and intervention falls somewhere between the two extremes, and much of the efforts at the prescriptive end of the spectrum would be more empowering—helpful in the long-term—if they had a more elicitive orientation.

—MCS Staff



From *Preparing for Peace: Conflict Transformation Across Cultures*, by John Paul Lederach, 1995, Syracuse, NY: Syracuse University Press. Used by permission.

Overview of Training

Kirsten Zerger

I hear, I forget.
I see, I remember.
I do, I understand.
CHINESE PROVERB

Conflict management trainers face two very different challenges. First, they must understand both how people learn and how learning is transferred to “real life” application, i.e., how do people remember under stress. Second, trainers serve in the vanguard of a paradigm shift: nurturing fundamental change in how people handle conflict, manage difference and accommodate diversity. Reversion to old methods for handling conflict exerts an enormous pull even for experienced conflict managers, let alone for new trainees. To ensure maximum transference and minimum reversion, training content and structure need thoughtful design.

Developing the Training

Experiential Training Theory

Developmental learning theories hypothesize that learning follows a sequence:

experience ? reflection ? new understanding ? new experience.

The principal task of the trainer is to provide opportunities for experience, reflection and new experience to ensure that understanding emerges and “locks in” before the workshop ends. The best training offers both theory and practice (“experiential activities”), followed by equal time for reflection and feedback.

Matching the Training to the Client

John Paul Lederach suggests that trainers become students of those they will train (1995). In other words, the ideal workshop should reflect the needs, culture and conflict management traditions of the individual client. During the design phase, trainers are responsible for familiarizing themselves with participants’ culture(s) and conflict management traditions. Key questions to ask include:

For all conflict management trainings:

- Who are the participants (e.g., religious; professionals; adults, youth, or intergenerational)?
- What are participants looking for (e.g., professional development, introductory overview, skill development, help resolving actual disputes)?

- What are the dominant values/culture/gender of participants?
- What is the education/experience/skill level of participants?

Additional questions for specific trainings:

- Who will or needs to be at the training?
- Why will participants be present (voluntary, mandatory, continuing education)?
- History of resolving conflict (church/business splits, forced resignations of top leaders, employee discipline/transfers).
- Level of participation at primary organizational meetings (e.g., congregational meetings, shareholders meetings, faculty or staff meetings).
- History of decision-making (hierarchical, collective, identified or hidden leadership).

Once the information has been elicited, analyze and USE IT! Even general training “blueprints” can be customized. Pattern roleplays to reflect the client’s circumstances (but be careful about using existing conflicts in training). Alter emphasis or language. (See the prescriptive/elicitive spectrum on page 266.)

Organizing the Training

Physical Set-up

Great workshop content can rarely overcome poor facilities, lousy set-up and inattention to basic comfort. Treat participants as invited guests. As host, the trainer is responsible for assuring a welcoming and comfortable place of work. Consider:

- Privacy (noise levels from adjoining areas; ability to work without interruption).
- Space size and flexibility (break-out areas for small group work; walls for hanging charts; smoking area; places to relax during breaks; movable chairs and tables).
- Environmental comfort (lighting and sound; heating and cooling; access to outdoors and fresh air;

comfortable chairs and writing space; accessibility for the disabled; restrooms).

- Refreshments (don't skimp and be creative—try fresh fruit and vegetables, tart and tangy hard candies, good-quality coffees/teas/juices, fresh-baked cookies and pastries; water).
- Maintenance (rules on smoking and eating; daily outside or participant clean-up crew).
- Seating arrangements (circle or U-shape; single or double rows; maintain good sight lines).
- Equipment (availability and technical support; set up and test-run equipment ahead of time).
- Supplies (name tags, paper, pens, markers, manuals, handouts).

Using Co-Trainers or Going Solo

Determine whether or not the use of a co-trainer would be appropriate. Financial considerations, group size and length of the training will be key factors, but also consider the added value that a co-trainer brings to the process:

- Balance (gender, ethnicity, race, age).
- Variety of working/teaching styles.
- Sharing of tasks, mutual support.
- Better observation and work with individual participants and small groups.
- Model cooperative problem-solving, teamwork and conflict management.

Group Size

Determine optimum group size for the type of training to be provided. Be firm in setting limits on numbers of participants. Groups of 15–20 are ideal for highly interactive trainings. Groups of 50–100 allow for far less experiential learning opportunities. Groups of 20–50 can be more or less experiential depending on the number of co-trainers and the facilities.

Publicity

Well-designed and thoughtfully distributed publicity goes a long way toward ensuring a successful workshop. Let knowledge of the potential participant pool guide both design and distribution. Use quality materials and attractive graphics. Give clear information on:

- The nature and scope of the training (what, when, where, length; trainer identity and qualification).
- What participants can expect and what is expected of them (agenda or objectives, methodology to be

used, e.g., lecture, role plays, multimedia, interactive techniques).

- How to prepare for the training (what to wear, what to bring, advance readings).
- Cost (training and materials, scholarships or sliding fee scale, deposits and refunds).
- Application requirements (minimum prerequisites, deadlines, contact persons).

Role of the Trainer

Learning new conflict management skills is emotionally demanding work, requiring trial and error in the arena of interpersonal relations. Consequently, the primary task of the trainer is to establish an environment within which participants feel safe to work. While content expertise is important, no trainer has all the answers in conflict management. When trainers are open about personal challenges in managing conflict, participants are more likely to risk trying new skills. Thus, the trainer's goal is not so much to impart knowledge as to empower participants to risk change. For such purposes, experience and skill in facilitating groups is essential. Key tasks include:

- *Managing the Agenda.* Honor the agenda; if more time is needed, negotiate changes with co-trainers and participants. Use time limits to generate necessary pressure for exercise objectives; short time limits often produce the most meaningful training work.
- *Giving Clear Instructions.* Make sure all participants understand purpose, guidelines, and directions for all activities and exercises.
- *Guiding the Reflection Process.* The skillful facilitator uses thoughtful questions to highlight, understand and build on the unique experiences of each participant.
- *Recording Group Work.* Recording key events and concepts on wall charts provides a common lens through which to view the training and produces group memory for all to share.
- *Monitoring Group Dynamics.* Trainers must be keenly attuned to the group, and be able to adjust and improvise as the situation demands. Modeling good conflict management by openly acknowledging process or participant problems, and dealing with them nondefensively is critical.
- *Dealing with Difficult Participants.* Prepare in advance for participants who monopolize discussions, refuse to participate, or heckle and disrupt.

Responding with confidence and grace provides security for the group, and helps ensure that everyone participates fully.

See, also, “Overview of Group Facilitation” on page 194.

Training Tools and Techniques

Audiovisual

As the Chinese proverb suggests, seeing is foundational to remembering. Audiovisual aids help participants “see” what they are learning. By varying the pace and tone of the training, such aids also help maintain group energy. Commonly-used audiovisual techniques include: overhead transparencies, newsprint, handouts, slides, videos, charts, and music. To make visual aids effective:

- Keep text simple and readable; writing on flip charts should be 1” tall for every 15’ from audience; for overheads use 24-point type or larger and limit text to six lines of six words.
- Reduce information to visual images, e.g., flow charts, graphs, tables, models, and diagrams.
- Use pictorial images to enhance written text.
- Have equipment completely cued and in place before the training starts.
- Use overheads for larger groups and flip charts for smaller groups.
- Alternate marker colors when writing on flip charts or overheads.
- Preview videos and break every 10–15 minutes for discussion. Give viewers something to look for as they watch. Use a large screen or several monitors.

Interactive

Experiential activities teach in “real time” rather than through the condensed learning of lecture or reading. Commonly-used techniques include: roleplay, skill practice exercises, tableau/sculpting, and games. Be clear on the goal of each interactive exercise and be sure that it fits a particular group. For example, activities or games requiring physical contact may not be appropriate, especially early in a workshop. Always allow participants to opt out of an exercise. Remember that when participants rehearse new skills and strategies, the mind does not distinguish between artificial and real-life experience. In both, participants must take risks, use intuition, and draw on prior experience and knowledge. In both, participants emerge changed.

The primary learning in experiential activities is not so much in the “doing” as in the debriefing after the exercise concludes. Reflection allows participants to examine their behavior during the activity, obtain immediate feedback, pinpoint lessons, and then try alternative approaches a short time later in another exercise. Successful debriefing requires trainers to:

- Set aside between one-quarter and one-third of total training time for reflection and debriefing.
- Select the appropriate feedback method, e.g., question and answer, round robin (brief comments from everyone), whip around (one-word “feeling” responses from everyone), and small group sharing.
- Thank participants for taking part in the activity.
- Focus assessment by reminding the group of the exercise’s original purpose.
- Encourage participants to ask questions and acknowledge personal feelings about the exercise, support others and suggest improvements in the activity.
- Affirm good effort while gently suggesting challenges raised by the exercise.
- Keep the group process moving and on task while still monitoring individual coping.

For discussion and sampling of particular techniques, see the articles that follow in this chapter and “Practice Exercises for Reframing” (p. 165), “Handling Difficult Situations Exercise” (p. 177), and “Training Exercises for Group Process Facilitators” (p. 202).

Training Structure and Pace

Sequencing

Sequencing and pacing can make or break a workshop. Pay close attention to the following when developing the training agenda:

- Vary presentation style (spoken, written, audiovisual, interactive, musical, dramatic), length (intersperse short and longer pieces, use breaks and hands-on activities to vary pace) and intensity (follow complex or emotionally draining work with light ‘n livelier or breaks).
- Repeat key points; integrate the training by frequently referencing previous segments.
- Structure components to progress from easiest to most difficult, from general to specific, and from content lecture to experiential activity (although it

may sometimes be more effective to use an activity first followed by discussion of relevant theory).

- Use breaks or light 'n livelies to avoid the mental fatigue and information overload that are real dangers in the intensive learning environment of a workshop.
- Pace interactive activities from less to more intense. Early exercises should concentrate on team-building and communication. Allow time for group trust and cohesion to develop.

Basic Building Blocks of a Training Agenda

Certain components should be part of every training agenda. Be realistic about the time each segment will take. Plan ways to make up time if a particular segment runs long.

- *Welcome.* Set the tone with a strong introduction. Welcome participants and give them a brief preview of objectives and anticipated benefits. Assure them of confidentiality. Encourage participants to help shape the workshop through questions and dialogue. Encourage them to avoid post-training “brain drain”—loss of 64% of what is learned within 24 hours and 98% within one week—by reviewing written materials at least six times post-training to internalize the information.
 - *Introductions/Ice-Breaker.* Select a method to have participants introduce themselves and “break the ice.” Glean samples of participant expectations, and suggest how they will be addressed.
 - *Meditation/Warm-Up.* Gather and focus the group energy. In shorter trainings, meditations can be incorporated into the “Welcome.” In multi-day workshops, participants can be asked to provide a meditation or warm-up.
- *Light 'n Livelies.* Plan activities to enliven the group and create esprit de corps, especially after lunch or following an intense interactive exercise. In a multi-day training, participants can be responsible for selecting and leading such activities.
 - *Evaluation.* Solicit overall workshop evaluations. Try written forms, an oral round-robin “check-out,” a “graffiti” sheet for informal comments/moans/cheers, or a “sounding board” (small group chosen to provide feedback for the group). For multi-day trainings, short daily evaluations are invaluable tools for staying on top of group dynamics.
 - *Wrap-Up/Conclusion.* Don’t skimp on the wrap-up! Prepare a short conclusion to ready participants for closure and departure. Create a training capstone through participants’ brief sharing of “memorable moments” or challenges for future growth.

Follow-up and Support

Training is enhanced and learning transference maximized by good follow-up. One or two months after the workshop, contact participants or the client to find out if the workshop is making a difference, if further training is desired or if other support is necessary. Personal follow-up is particularly critical after a private training, such as for a congregation, school or business entity. Mailings can be used effectively after public workshops.

Reference

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How to Make Games Work

Mark Chupp

Select appropriate games, bearing in mind the principles and skills you want to focus on in that particular session and the trust level of the group. Be sure that the game will not put down any individual or group. I never pick a game I would not be willing to do myself.

Present the game as a continuation of the training, pointing to the theme you wish to address through the activity. At the same time, be careful not to overly influence the players by saying too much ahead of time about the conclusions you hope to draw out of the game.

Give clear instructions before getting people out of their seats and moving around. It is also important to lay down some ground rules ahead of time, including that participation is voluntary. “Challenge by choice” is a standard phrase to let participants know they will be challenged and have the choice to not take part.

Stay in the facilitator role, modeling the appropriate levels of abandonment and seriousness. I also monitor participants to be sure they clearly understand the rules of the game and to curb any inappropriate behavior. Improper touch or humor can quickly erode the trust in a group.

Clearly identify the end of the game or activity, taking people out of any roles assigned to them. Thanking and affirming people for risks they have taken can help increase the groups capacity to take on later challenges.

Open the reflection time, guiding participants through a progression that begins with the activity and ends with practical application. I use a few basic questions to guide me:

- a. What happened in the game?
- b. How did you feel when . . . ? (Point to key transitions in game.)
- c. How does this game relate to your life?
- d. What can we learn from this game? How could we apply it to ourselves?

During the reflection time, use active listening to validate participants’ contributions and be mindful of where you want to take the discussion. The same activity, such as the human knot, can be used to bring out diverse themes, like the nature of conflict, communication patterns, community organizing strategies, etc. Do not be afraid to build on participants’ observations to crystallize key points related to the theme.

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Mediation Roleplay Tips

Carolyn Schrock-Shenk

A roleplay is a simulation of a real-life situation played by training participants for the expressed purpose of learning specific concepts. It is a powerful learning tool because it forces us to put into action the skills and processes we have read and heard and seen.

Roleplaying isn't always comfortable. It requires a momentary suspension of our own reality to take on another's reality. At times that may feel contrived or forced. At times discomfort may come from feeling the pain of the character because it has touched something deep in our own experience. Being aware of and naming the discomfort, whatever its source, can help free us from it.

Begin the roleplay process by deciding who will play which role. You may want to refrain from playing a role that you identify with too closely. Each participant reads only the information pertinent to her or his role.

Tips for Mediation Participants

Read through the description of your character. Put yourself into her or his shoes and try to imagine what this person would feel and think and do. Be creative in adding details, but stay consistent with those provided since they were written in conjunction with the other character(s). It is often helpful to wear a name tag bearing your character's name.

Your task is to play the role realistically and naturally. Find a balance between being totally passive and agreeable and being aggressive and unmanageable. The goal is to make it a good learning experience for all of you, not to give your mediators a hard time!

Tips for Mediators

As co-mediators, decide who will take responsibility for the various steps. You may want to talk about your styles of working. For example, do you appreciate a "back and forth" style where each is free to contribute to the leading? Or do you prefer more clarity about who leads when?

Set up your environment. Make the setting as safe and process-ready as possible. Think about seating, table, temperature, newsprint, markers, paper and pencils.

During the roleplay, remember that experiencing confusion and frustration is expected and is an important part of the learning process. If one approach doesn't seem to be working, try another.

The collaborative effort with your co-mediator is a critical part of the learning. Co-mediating can be terribly frustrating if you're not working well together, it can be a joy when you're in sync and it can be a relief when you're stuck. Keep checking signals with each other.

Tips for Both

Before the roleplay, take a moment to center yourselves and get into your roles. You are about to enter a learning process that, even in role play, is potentially transformative. Your attitude, much more than your acting ability, will make it good learning.

Stay in role, through confusion, tiredness and even absurdity. If there is a role break—everyone bursts out laughing, for example—get back into role as quickly as possible and continue.

There may be a trainer or coach present to observe the process and help provide feedback. Ignore them. They will not intervene—except in extenuating circumstances, such as a complete impasse.

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Suggestions for Coaching Mediation Roleplays

MCS Staff

This sheet is designed to guide roleplay coaches, not necessarily trainers, in a mediation training.

Over the years we have consistently received comments that having coaches present during the roleplay practice times is much appreciated. Below are just a few ideas for giving verbal and written feedback in your role as a coach. Feel free to use ideas gained from your own experience and context with participants.

During the Roleplay

Generally it is best to allow participants to work through things without comment or intervention. Part of the value of the experience comes from feeling confusion, frustration, uncertainty or discomfort, and then finding resolution on one's own. However, there are some situations when a sensitive coach can enhance a role play through a timely intervention:

- Sometimes a key comment or event (or absence of it) will have a major impact on the course of the mediation.
- Calling a time out might be helpful if participants are losing touch with the feelings called for by their role or if either disputants or mediators seem to be losing track of the role play.
- On occasion, coaches may suggest techniques or behaviors to try out, especially where the role play would otherwise reach a dead end.

Any intervention should be as brief and unobtrusive as possible to prevent the coach from taking over the role play or the practicing mediators depending too much on the coach's advice. Encourage participants to "learn by doing."

Verbal Debriefing

Groups vary in how much structure they need/desire from coaches. In many cases, participants effectively debrief themselves.

It is helpful to refer to characters by the name used in the roleplay so the individual participant does not feel hostility, anger or criticism directed at him or her personally. Also, it is best to avoid language that indicates what participants should have done, instead use language such as: "Another option you might try is . . ." or, "From the response you got, what might be useful in the future?"

Depending on how the role play goes, there will be varying amounts of time to debrief in the small group setting. Sometimes we also debrief in the large group, and individuals tend to do additional processing at breaks and mealtimes.

Written Feedback

Many of the comments above also apply to written feedback. Even if you've had enough time to voice all of your comments, participants may still find a written sheet helpful so they can mull over it later on their own. Be sure to include observations about room set-up, use of flip chart/chalkboard, body language, tone of voice, "presence" skills, etc., in addition to specific mediation skills in your feedback. Try to balance negative and positive feedback. Or, better yet, make the list of "positives" longer than the "ideas for change." "Coaching forms" are often provided for giving feedback. Use a separate sheet for each mediator.

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Debriefing Mediation Roleplays

Carolyn Schrock-Shenk

At the end of the set roleplaying time, stop the roleplay. Relax, take several deep breaths and slowly let yourself out of your role. Just as importantly, let the other participants out of their roles as well.

Debriefing is the most important part of the roleplay. It involves discussing together—for the sake of learning—the process of the role play, not the content of it. Resist the temptation to revisit the problem and continue trying to solve it. In debriefing, the more specific your feedback on the process the more helpful the learning.

Begin With Feelings

- As disputants, describe how you felt in your role. Did your feelings change through the process? How and why?
- As mediators, describe how you felt in your role. Did your feelings change through the process? How and why?

What Went Well?

- As disputants, describe what the mediators did or said that helped you feel safe and engaged. What was helpful in moving the process along in a positive direction? Describe any key turning or movement points.
- As mediators, describe what you did or said that helped set a positive tone. What strategies seemed to work particularly well and why? How were you able to use your natural strengths in the roleplay? What things worked well in collaborating with your co-mediator?

What Could Be Changed?

- As disputants, what things could the mediators have done differently to increase your trust and sense of safety? What would have moved you more readily toward a constructive response to the conflict?
- As mediators, what didn't go so well? What things did you do or say or what strategies did you try that seemed unhelpful, inappropriate, or even neutral? What things do you wish you would have tried? What was frustrating or difficult about working with your co-mediator?

After the debriefing a coach or trainer may give you a few written observations about the process and your role as a mediator. Reflect on the comments. Ask questions if you don't agree.

Roleplays are important learning opportunities—both for learning skills and processes, and learning about yourself as a person. It may be helpful to spend some time journaling after a role play. What things do you want and need to learn? What things were touched in you personally through the process? What do these tell you about yourself?

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Power Tableau

Carolyn Schrock-Shenk

One of the richest and most powerful training exercises I have led is a power tableau. It is a kind of human sculpture that was first used by Kip Hargrave, a Maryknoll lay missionary in Central America. It is powerful because each participant can apply it usefully to their unique situation, because it can accommodate a host of goals and because it draws on both right brain and left brain thinking. I am amazed each time at the variety of situations it elicits—from individual families and interpersonal relationships; to congregations and work places; to race, gender and economic oppression; and to revolutionary settings.

You can use the tableau to accomplish a variety of goals depending on the direction you want to go, the questions you choose and how much time you have. You cannot do justice to it in much less than an hour. Most commonly I have used it during mediation training to help participants situate the role of mediation within the context of broader conflict transformation. Using the tableau can:

- Help tangibly underscore our fundamental goals of justice and right relationships in peacemaking.
- Help participants recognize the limitations of mediation and ways it can undermine our deeper goals.
- Help examine the elements needed for mediation to be an appropriate intervention.
- Provide a practical tool for analysis of power, kinds of power and methods for power balancing.
- Provide a practical tool for analyzing situations where a significant power imbalance exists, including both structural conflict and interpersonal conflict that has systemic roots.
- Facilitate the discussion of various nonviolent responses that are required (education, conscientization, advocacy, confrontation, negotiation) and when each of these is appropriate for nonviolent change and conflict transformation.

Setting Up the Tableau

1. Person A lies flat on the floor, face up.
2. Person B stands beside Person A with one foot resting lightly on the stomach of Person A.
3. Person C stands on a chair that is placed directly behind Person B. Person C puts both hands on the shoulders of Person B.

Application and Reflection

4. After a moment of silence, ask the group to think about what is happening. What situations in their lives, or about which they are familiar, does this configuration resemble?
5. In groups of three, ask them to share the situations and identify who each person in the tableau represents for each particular situation.
6. In the whole group, elicit and list a variety of situations.
7. Ask each person in the sculpture how they feel. Encourage them to talk about their physical feelings as well as their emotions in their particular role. Other questions, if time permits, can include:
 - What can you see from your vantage point?
 - How do you feel about the other two tableau members?
 - What messages are you getting from society?
8. Moving back to the larger group, begin a discussion about the situation. You can select one of the situations listed to focus on or you can keep it general. I have found the latter more helpful because it allows each person to interact with the situation of their choice. Depending on your direction, questions can include:
 - Is this a conflict? Why or why not?
 - Is it a good situation and are you comfortable leaving it like this? Why or why not?
 - What would it take to transform this situation?

-
9. As ideas for transformation begin to emerge, invite one or more volunteers to implement their suggested change to the tableau. Possible questions:
- What happens to the level of conflict with this intervention?
 - What are the positive and negative results of this intervention?
 - How would each tableau member respond?
 - What else can you do?
 - What are the options for a collective response?
 - What sources of power does each member of the tableau have? How can power become more balanced?
 - What role does mediation play in this kind of situation? What would have happened if someone had tried to mediate between the three persons at the beginning?
 - What are the various nonviolent responses that may be needed to transform this situation?

Input

10. Much of the input I make happens in small pieces throughout the discussion. You can provide input on power, power balancing, conflict analysis, non-violent strategies, etc. I frequently end with an emphasis on the importance of looking for, recognizing and responding appropriately to power imbalances.

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Warm-Ups, Trust-Builders, Light 'n Livelies and Wrap-Ups

David Brubaker, Carolyn Schrock-Shenk and Kirsten Zerger

Warm-Ups

Memory Monikers

It's surprising how adding a "moniker" like an adjective, rhyme, or other word association helps us remember another person's name.

Have participants sit or stand in a circle so everyone can see one another. Ask each person to think of a moniker, like an adjective or rhyming word, to associate with their name (or the first letter or sound of their name). For example, "Mighty Monica" or "Chill Bill." Start by having the participants introduce themselves ("My name is Mad Max"). Continue around the circle with each participant introducing himself or herself, and then repeating the names and monikers of ALL preceding persons. The game ends when the first person repeats all the names around the circle.

My Three Symbols

Best with no more than 25–30 people. Supplies: white paper and bright water-based markers.

Give everyone a sheet of blank white paper; have them fold the paper into thirds. Using markers, have each person draw three symbols or symbolic pictures, one per folded panel, showing: 1) who they are, 2) what they do, and 3) what they like to do. The first often elicits something about family (of origin or current), the second is work-related, and the third is usually a hobby (often interesting and fun). Go around the room and have each person share their three symbols and explain briefly why each was selected. To avoid monotony, have the sharing start at a mid-point in the group and work from side-to-side outward.

Trust-Builders

Folding Hands

This is an easy way to normalize the anxiety everyone feels at trying new techniques like active listening and assertive speaking.

Ask participants to shake out and then clasp their hands in their laps. Notice which thumb is on top. Now

ask them to shift all their fingers so the other thumb is on top. Ask how it feels now? Replies will include "unnatural, weird, uncomfortable." Have them clasp and hold their hands in this position for five minutes, then ask how it feels. Most will say it feels less odd. Explain that a neuronal shift takes place as the body and mind become comfortable with the new way. The same thing happens with learning any new skill, including conflict management. That neuronal shift can't happen, however, if one doesn't practice and give the neurons a chance to shift!

Variation

Have people stretch their arms out wide, and then fold them across their chests. Notice which arm is on top and refold with the other arm on top. Follow same instructions as for folding hands.

Blind Trust Walk

An excellent activity to experience giving and receiving trust; can symbolize the mediator's role in helping mediation participants understand and move through the mediation process. Supplies: bandanas.

Have group pair up with someone they don't know well, or don't usually work with. Each person will take a turn being "blind" while a "seeing" partner leads them around the room, building and outside. The blind partner can simply keep eyes closed or wear a bandana, and hold an arm, hand or shoulder of the "seeing" partner who leads the blind partner to a variety of places (corners, steps, chairs), textures (water, carpet, brick, grass) and other physical experiences (darkness, sunlight, cool, heat). Each partner takes about 10 minutes being "blind."

To Debrief

Ask what it felt like to be "blind," what the seeing partner did well or could have done to add more security; ask the seeing partner what it felt like for them. Make connections to the training, e.g., how critical it is to go slow and give careful explanations for those entering a frightening or unknown situation like mediation or dealing with conflict.

Light 'n Livelies

Energy Surge

Good pepper-upper! You will need a prepared leader in each circuit.

Create “energy circuits” with up to 25 players in each circle holding hands. The energy starts flowing when the leader gives a hand squeeze that is passed from person to person. Wait about ten seconds, and then send another squeeze the same direction or around the opposite way. Send squeezes both ways at once or try a double squeeze! Hardest of all: eyes closed. Send squeezes, each time waiting less between pulses. Usually within a minute or two (when you hear lots of laughter) you know there’s enough energy to return to the training.

Three Positions

This exercise can serve both as an energy booster, and also as a way to explore group dynamics. Plan to debrief about each group’s decision-making process: who each group’s “leaders” were, how they were chosen and what their leadership qualities were; each individual’s personal influence; how disagreement was handled. Best with no more than 50 players.

Divide into three groups, facing center. Everyone starts with hands at side in the “neutral” position. Ask someone to model a variation on “neutral.” This will be “first position;” have everyone try it. Return to neutral. Continue until the entire group has three different positions, and everyone knows how to do them. Ask each group to huddle privately and decide which of the three positions everyone in the group will present. The point is to have all groups presenting the same position without prior consultation, and as quickly as possible. Give the groups 30 seconds to huddle. Call time, and ask each group to face center in the neutral position. At the count of 1-2-3, each group reveals its chosen position at the same time, without talking. Rehuddle for 30 seconds, and reveal again. Continue until all groups take the same position.

Hokey-Pokey

No kidding! This is a great way to wake up a group with the 2 p.m. “sleepies.” It works well with international groups too!

Gather the group into a circle; ask for a volunteer to lead the “Hokey-Pokey” song. Sing it through once so everyone gets the tune and routine. Everyone sings and acts out: “You put your right hand in, you put your right hand out, you put your right hand in and you shake it

all about. You do the hokey-pokey [waving or wiggling your hands above your head] and you turn yourself about, and [clap] that’s what it’s all about.” Continue with left hand, right and left legs, elbows, hips, backside, and end with putting your “whole self” in and out! It’s fun to have folks hold on to each other at the shoulders a la New York Rockettes when doing feet and legs.

My Bonnie Lies Over the Ocean

You gotta have good knees for this one.

You need a leader on a chair in front of the group. Have everyone sing “My Bonnie Lies Over the Ocean.” Each time a word starts with “B,” have them stand (if they are sitting) and sit (if they are standing). It gets tricky in the chorus. Once they’ve got it, speed it up.

Nonverbal Lineup

A good way to mix things up before numbering off a group.

Have participants line up nonverbally by height. This one is easy. If you want a real challenge, have them line up by the month and day of their birthday, nonverbally as well, of course. When they’re done, go down the line and have each say their month and day. If a group is very comfortable with each other, you can try age!

Build a Machine

Uses participants’ creativity. And their bodies. And it’s fun besides.

One person goes to the middle of a large open space and begins some kind of movement that resembles a machine, real or imaginary. Others come up and connect, making up their own kind of movement. Appropriate sounds can be added. The only rule is that you have to be physically connected or touching someone else. When all are connected, the leader can ask the machine to speed up, go full steam, slow down and then stop.

A Big Wind Blows

“Big” people’s musical chairs.

Everyone sits in a circle. The leader begins with, “A big wind blows on all who are an only child.” (Or “are wearing a belt” or “have never roleplayed” or “love chocolate,” etc.) Those who fit the category have to change seats. The leader finds an empty one and the “seatless” person is the new leader and calls out a new category.

Knots

A wonderful metaphor for conflict. Can be just for fun or debriefed by discussing the many ways the experience was like a group conflict they have been in.

Have participants stand in a circle in groups of 8–12 people. Everyone reaches in their right hand and grabs the right hand of someone else, then reaches in their left hand and grabs the left hand of someone else. The tangled group now tries to untangle. The only rule is no dropping hands. Many groups are able to do it. Some you simply need to call time after while because they are “stuck.” That can become part of the debriefing and learning.

Wrap-Ups

Different Strokes for Different Folks

This works best after a multi-day training with no more than 25–30 participants, when certificates of completion are being handed out.

Give the group five minutes to think of a brief positive “stroke” to give each person in the training. Suggest that “strokes” can be comments about a particularly nice physical feature, a personality trait that is unusually pleasant, a talent or skill that is noteworthy, or something about that person that really enhanced the training experience. Then call each participant’s name, ask them to come forward to receive their certificate of completion, and have other group members call out their “strokes” for that individual.

Variation for a training of a week or longer

Sometime during the last half day of the training, put up pieces of large white paper for each participant, noting his or her name at the top. Make colorful markers available and ask everyone to take time to write positive “strokes” or comments on each sheet. Make sure enough time is given, even if extra break time needs to be set aside for writing. Participants take the finished sheets home for “instant strokes” on those “down” days we all experience.

Endgame Toss

A fun ending for trainings of any length. Supplies: a Nerf ball.

Ask participants to sit or stand in a circle to share highlights of the training session. Ask for a volunteer to start the process and toss him or her the Nerf ball to start. Each person should give his or her first name and then briefly share a training highlight. When finished, that person tosses the ball to someone in the circle, who gives his or her name and highlight, and so on until everyone has had a chance to share. If the ball is tossed to someone who has already shared, they simply toss it on to another person who hasn’t.

Variation

Participants can say whatever they’d like to say—a highlight, something they’ve learned, a blessing, words of appreciation, a new commitment, etc. Can be done with the Nerf ball or simply go around the circle.

Texas Hug (or Tennessee Squeeze)

Works great at the very end, after a final song or prayer or other ritual/exercise.

Have participants stand in a circle and link arms around the next person’s waist. Ask everyone to take one large step backward. Then take three steps forward.

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Resources for Further Study on Pedagogy

compiled by Kristin Reimer

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A gathering of training activities from trainers across the globe.

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Note especially chapter 6 on an elicitive approach to training development.

Lederach, John Paul, and Mark Chupp. *¿Conflicto y Violencia? ¡Busquemos Alternativas Creativas!* Guatemala City: SEMILLA, 1995.

A practical trainers' manual in Spanish on workshop planning, participatory education techniques, training exercises and role plays.

Macbeth, Fiona, and Nic Fine. *Playing With Fire: Creative Conflict Resolution for Young Adults*. Philadelphia: New Society Publishers, 1995.

A curriculum and guide for a *completely experiential* training on conflict management; geared for youth but with many ideas adaptable for other settings.

Newstrom, John W., Edward E. Scannell and Carolyn Nilson. *The Complete Games Trainers Play: Volume 2*. New York: McGraw-Hill, 1998.

This manual consists of 287 low-cost, short- to mid-length interactive training activities, complete with instructions for implementation.

Pranis, Kay. *The Little Book of Circle Processes: A New/Old Approach to Peacemaking*. Intercourse, PA: Good Books, 2005.

An exploration of the principles, philosophy and practicalities of peacemaking circles.

Ruth-Heffelbower, Duane. *Conflict and Peacemaking Across Cultures: Training for Trainers*. Fresno, CA: Center for Peacemaking and Conflict Studies, Fresno Pacific University, 1999.

Helpful resource designed to be used by resettlement agencies that want to train staff to work with conflicts in a culturally competent manner.

Stoesz, Gary. *Meditations for Meetings: Thoughtful Meditations for Board Meetings and for Leaders*. Intercourse, PA: Good Books, 1999.

A good, basic resource for workshop meditations. Many can be easily adjusted to reflect training concerns.

Weiss, Joshua N., ed. *You Didn't Just Say That!: Quotes, Quips and Proverbs for Dealing in the World of Conflict and Negotiation*. Cambridge, MA: Program on Negotiation, 2005.

Quotes and proverbs representing different approaches to conflict. Good discussion starters. Free download available at <http://www.pon.org>.

Journal

Simulation and Gaming: An International Journal of Theory, Practice and Research. David Crookall, ed. Sage Publications. <http://sag.sagepub.com/>.

Features theoretical papers about simulations in research and teaching, empirical studies, and technical papers on new gaming techniques.

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CHAPTER 9

Peacework and Beyond



Introduction to Chapter 9: Peacework and Beyond

Words carry deep meaning both for the speaker and the listener. Difficulty generally arrives because the meaning is not the same for both of them. So it is as we try to talk about the work we do that doesn't necessarily fit into the traditional box of "peacework," "peacemaking" or "peacebuilding." We often talk about the values that undergird our work and yet we know that not all of us place the same definition or importance on particular values.

What this means to me is that we need to continue the journey together. We need to continue to talk, talk and keep talking to one another about what is working, and what is not working. We need to continue to talk about new ideas, redefine assumptions, and look at opportunities to walk this peace and justice road.

That is what this chapter is about: Finding opportunities that may look different than our current ideas about peacework. Authors talk about what it means to provide support and accountability for those in our community who have committed sexual assault crimes as well as what it meant for a victim whose son was murdered to sit face-to-face with the man convicted of the murder.

We will see a learning module for interactive theatre that allows real-life situations to be played out with the audience sitting in as "actors," thus changing what happens within a story.

We will hear about ways to engage the audience in a dialogue after watching provocative films—in the article on Indigenous Issues Forums. We will look at using music and other art forms as a way of connecting, of bridge-building and of engaging in ways that promote peace.

My hope is that we can keep an open mind; that we become like the cartoon character Buzz Lightyear, whose catch-phrase, "To infinity . . . and beyond," became his mantra as he sought ways to move beyond his limits time and again.

May we continue to think beyond our boundaries of the possibilities for peace-work.

Lorraine Stutzman Amstutz
Co-Director
MCC U.S. Office on Justice and Peacebuilding

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Opportunities for Peacework: an Introduction

Dalton Reimer

The Language of Peacework

Peacework is our summary word for the many words that are used to describe ways of dealing with conflict. Some, for example, prefer the language of conflict resolution; others prefer conflict management; and still others, conflict transformation. Mediation is no longer just mediation; there are different varieties including settlement mediation, transformative mediation and narrative mediation. Then there are peacemaking, peacekeeping and peacebuilding. Furthermore, there is controlled, step-wise or transformative escalation of conflict to encourage resistant people to address issues of rightness and justice. This issue article is not the place to sort out the nuances of meaning among all of these languages. For the purpose of profiling opportunities in the field, we choose to simply call all of this and more *peacework*.

The Universe of Peacework

Wherever two or more people are gathered together, the potential for conflict and peacework exists. The settings for gathering, of course, are many—ranging from the interpersonal to the international. Therefore conflict and opportunities for peacework exist in families, neighborhoods, organizations, communities, nations and the world. And opportunities extend also to issues of life and the environment.

Peacework happens best when it is centered in clear, core values. The core value of “peace with justice” captures something of the essence of the historic, Hebrew vision for shalom. It is hard to improve upon the all-encompassing meaning of shalom, for it speaks of right and just relationships with God, each other and creation. It speaks of spiritual, social and also physical well-being. Shalom describes Eden before the fall and provides a vision toward which we are called to move after the fall. It is a world ordered rightly and justly. Core values such as shalom provide motivation and focus for peacework.

The People of Peacework

Everyone can be a peaceworker.

Lifestylers are people who work toward peace in all they do. They see peacework as ordinary, everyday work in the multitude of relationships that make up life. Peacework becomes a way of life—in the family, neighborhood, community and beyond.

Vocational integrators are people who incorporate peacework into their on-going workplaces and professions. They see peacework as integral to workplaces and professions of whatever kind. Growing numbers of professionals and other workers are gaining training and education in peacework and incorporating their learnings into their continuing work, including the services they provide.

Paraprofessionals are people who have gained a minimal level of expertise in mediation or other forms of peacework, often to provide a specific and limited service to others. Volunteers constitute one of the largest groups of paraprofessionals. From children and young people in peer mediation programs at their schools; to adults in community mediation, advocacy and development programs—volunteers are often front-line peaceworkers.

Professionals are people for whom peacework has become a career and profession. They may be leaders in mediation and justice programs, mediators and arbitrators, trainers and teachers in the field, consultants, etc. Opportunities for professional peaceworkers are growing as the field is developing and more programs are being inaugurated.



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Vol.20, No.4.

A Peacework Sampler

Dalton Reimer

Opportunities for peacework, as the “peaceworkers” model on page 285 suggests, range from informal, everyday activities to the more formal work of professionals. The “universe of peacework” model on page 288 identifies the contexts in which peacework happens.

The following sampler identifies a cross-section of opportunities. It is a sampler and therefore incomplete, but it is suggestive of the range of opportunities available.

Students, teachers and other professionals should also note that many professional associations representing different academic fields of study (e.g., psychology, political science, communication, religion, etc.) have sections devoted to conflict and peace. These are other potential sources of information about opportunities.

Family

Conflicts in families have to do with marriage and divorce, children, siblings, health, aging, inheritance and other concerns that emerge in the course of family life.

Opportunities for peacework in families exist at all levels of the peaceworker triangle. Professionally, mediation has become a very significant alternative for families needing more skilled third-party intervention.

In 2001, the Academy of Family Mediators merged with the Society of Professionals in Dispute Resolution and the Conflict Resolution Education Network to form the new Association for Conflict Resolution. The Association is a key source of further information about family mediation, as well as other forms of mediation and conflict resolution.

Neighborhood and Community

Community Disputes

Conflicts in neighborhoods and communities have to do with property, fences, trees, pets, noise, parking, harassment, threats, partying, interpersonal relations, intergroup relations, intercultural relations and more.

Just as with conflicts in families, opportunities for peacework exist at all levels of the peaceworker triangle in neighborhoods and communities. At a more for-

mal level, community mediation centers have become a significant means of channeling peacework in communities. The National Association for Community Mediation estimates that more than 550 community mediation centers now exist in the United States. Thousands of volunteers across the country mediate conflicts between individuals, groups and organizations within communities. Volunteers are the backbone of the community mediation movement. Opportunities for employment include staff positions.

For further information about opportunities, contact your local community mediation center or the National Association for Community Mediation.

Community and Restorative Justice

Conflict in communities includes the violation of persons and laws. Vandalism, break-ins, stealing and mischief of various sorts land children, young people and adults alike in courts.

Since their beginning in the 1970s, victim-offender reconciliation and mediation programs have provided an alternative to courts as a way of dealing with wrongdoing in the community. These programs bring victims of crime and their offenders together under the guidance of a mediator to review what happened and to make things right. The traditional mediation process has been expanded to include group conferencing in which primary support persons of both offenders and victims are included. Victim-offender reconciliation and mediation programs now number several hundred in North America and have also developed from a variety of roots in other countries around the world. These programs generally function with paid staff and volunteer mediators drawn from the community.

Court-Related Alternative Dispute Resolution (ADR) Programs

Many federal, state and local courts provide alternative dispute resolution options to parties in dispute. Mediation is one of the more frequently offered alternatives. Trained volunteers, attorneys, retired judges and others serve as mediators, arbitrators and in other ADR roles. ADR programs are sometimes provided in the court itself and sometimes by referral to outside agencies.

An excellent guide to Web sites of courts across the country that offer ADR can be accessed through the National Center for State Courts (see “Resources”).

Organizational

Humans function together in many organizational contexts. Conflicts emerge both within and between organizations, and between organizations and people. Organizations provide opportunities for the full array of peacework of the peacemaker triangle.

Within organizations, employees may consider becoming professionals who integrate peacework into what they are already doing. For example, managers and leaders spend significant amounts of their time with people’s problems and can benefit greatly from becoming vocational integrators. People who work primarily with personnel—such as human resource directors—can also increase their effectiveness by becoming vocational integrators. Some organizations have ombudspersons who specialize in working on disputes within the organization.

Then there are service professions, such as law and social work, where integrating peacework into the profession can increase the breadth and quality of service provided to clients. Following are some examples of organizational peacework.

Business and Consumer Peacework

Conflicts develop between businesses and consumers and also between businesses themselves. Many agreements between consumers and businesses these days stipulate that mediation or arbitration will be used to address disputes that might develop.

The Better Business Bureau (BBB) is a major system that reaches across the United States and Canada, providing dispute settlement services within communities. For example, within this system of 145 bureaus, 100 are part of BBB Care, a standardized dispute settlement program coordinated by the Council of Better Business Bureau, Inc. This system, through paid staff and volunteers, provides conciliation, mediation and arbitration services to consumers and businesses (see “Resources”).

American Arbitration Association advertises itself as “the nation’s largest full service ADR provider.” It is also one of the oldest agencies in the field. The American Arbitration Association normally works with high-end conflicts involving corporations, unions, government agencies, law firms and courts. Mediation, arbitration and other forms of ADR are offered by the Asso-

ciation. The Association maintains a roster of nearly 12,000 experienced experts who are called upon as mediators, arbitrators and ADR personnel. “Most of the recent growth in contractual arbitration,” the Association’s Web site reports, “has been in the consumer, employment, health care and international arenas” (see Web site listed under “Resources”).

School Peacework

School violence has made peacework a front-burner issue for schools—for teachers, counselors and administrators as well as students and their parents. Teachers and students, in fact, represent one of the largest potential peacemaker forces in the country and world. Teachers, along with counselors, administrators and other school personnel, are potentially vocational integrators—people who integrate peacework into the teaching, discipline systems and co-curricular programs including peer mediation programs.

Entry into this workforce is primarily through teacher education and other professional education programs. When this preparation includes training in peace education and conflict resolution, teachers are better equipped to be effective in their work.

Today many organizations, including universities, are working to help schools include peacework in what they do. Surfing the Web is one way to find alternative sources of further information. Please refer to the Web site list found at the end of this article. One example of such university involvement is the “Discipline that Restores” project at Fresno Pacific University’s Center for Peacemaking and Conflict Studies.

Community Board of San Francisco is one of the early pioneering community groups that has worked at school conflict resolution. Also, a primary national organization working in the area has been Educators for Social Responsibility.

Church Peacework

Churches, meeting houses, temples, synagogues, mosques and other faith groups experience conflict. Conflicts emerge over leadership, buildings, finances, priorities, interpersonal relations, beliefs, values and a myriad of other concerns. Persons interested in church and religious peacework should explore opportunities in their own faith group or tradition.

One organization that works more broadly is the Alban Institute in Washington, D.C. The Alban Institute advertises itself as “an ecumenical, interfaith organization founded in 1974, which supports congregations through consulting services, research, book

publishing, and educational seminars” (see Web site listed under “Resources”).

Nation and World

Conflict at the national and international levels involves many issues and concerns.

On the national level, policies and priorities related to education, immigration, economics, health, justice, morality and more divide us as humans. Creating spaces and contexts where these issues can be safely and constructively explored and resolutions sought is peacework.

International conflict, of course, continues to attract the attention of the world—though unevenly—depending on where it is and the ease with which it can be reported. Peacework in “intractable” conflicts, as the theorists in the field refer to it, remains a major challenge.

Louise Diamond and John McDonald (1996) identify nine possible tracks for involvement in international peacework, but these tracks apply to the national scene as well as the international. They suggest the possibility of peacework through diplomacy (government), professional conflict resolution (nongovernment/professional), commerce (business), personal involvement (private citizen), learning (research, training and education), advocacy (activism), faith in action (religion), providing resources (funding) and information (communications and the media). They devote a chapter to each and conclude with a list of resources and organizations that are working in the particular area. This is a very useful resource for those interested in exploring a broad range of opportunities at the national and international level.

Peace and Justice Advocacy

Peacework at national and international levels includes advocacy for peace and justice. The causes and motivations that draw people into advocacy peacework are many. Likewise, organizations and groups involved in advocacy peacework are also many. Searching the Internet in pursuit of one’s interest is a good way of connecting with others who share similar concerns.

Here we identify two. The first is Christian Peacemaker Teams, a program of the Church of the Brethren, Friends United Meeting and the Mennonite Church. Christian Peacemaker Teams “places violence-reduction teams in situations of crisis and areas of militarization both locally and around the world.” It is an attempt “to devote the same discipline and self-sacrifice to non-

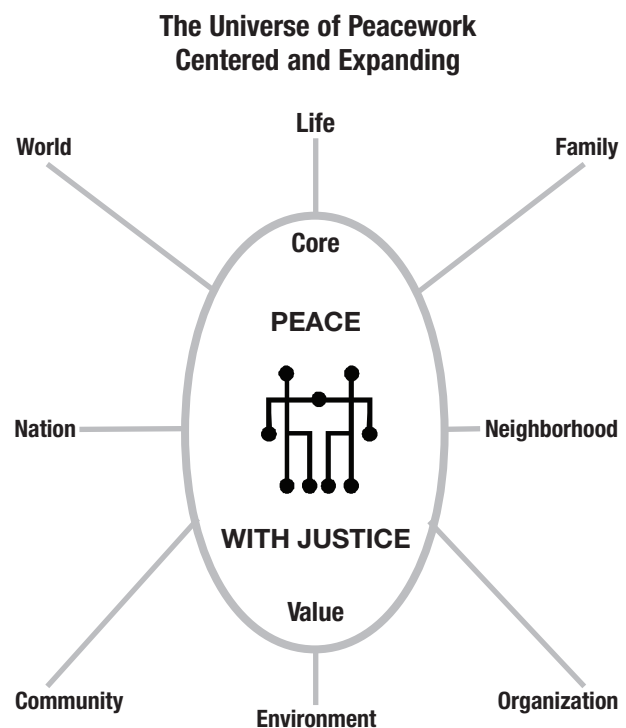
violent peacemaking that armies devote to war” (see Web site listed under “Resources”).

The second is Amnesty International. Amnesty International identifies itself as “a worldwide campaigning movement that works to promote all the human rights enshrined in the Universal Declaration of Human Rights and other international standards. In particular, Amnesty International campaigns to free all prisoners of conscience; ensure fair and prompt trials for political prisoners; abolish the death penalty, torture and other cruel treatment of prisoners; end political killings and ‘disappearances;’ and oppose human rights abuses by opposition groups” (see “Resources”).

Because Amnesty International uses letter writing as a major means of advocacy, people can easily become involved in its advocacy work. Amnesty is a good entry point into peace advocacy work. It has more than one million members and supporters in 162 countries and territories.

Life and Environmental

Peacework includes working for right relationships with the biological and physical universe that we all inhabit. Issues of life (e.g., abortion, capital punishment, euthanasia and more) as well as issues pertaining to the environment divide us as humans. Both advocacy and dispute resolution work is needed within this arena.



Peacework in this area is diverse. Pursuing your interest on the Internet is one way of getting additional information about opportunities.

Environmental disputes happen at many levels from the local community to the world. A more recent entry into this arena is the U.S. Institute for Environmental Conflict established in 1998. The Institute focuses on disputes involving a federal party or interest and an environmental, natural resource or public land issue (see “Resources”).

Resources

Alban Institute: www.alban.org

American Arbitration Association: www.adr.org

Amnesty International: www.amnesty.org

Association for Conflict Resolution: www.acrnet.org

Better Business Bureau: www.bbb.org

Center for Justice and Peacebuilding—Eastern Mennonite University: www.emu.edu/ctp

Center for Peacemaking and Conflict Studies—Fresno Pacific University: peace.fresno.edu

Christian Peacemaker Teams: www.cpt.org

Community Boards of San Francisco:
www.communityboards.org

Educators for Social Responsibility:
www.esrnational.org

Justice and Mediation—University of Minnesota:
www.rjp.umn.edu

National Association for Community Mediation:
www.nafcm.org

National Center for State Courts: www.ncsconline.org

U.S. Institute for Environmental Conflict:
www.ecr.gov

Victim Offender Mediation Association:
www.voma.org

Victim Offender Reconciliation Program Information and Resource Center: www.vorp.com

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Conceptions of Peace

Hizkias Assefa

For some people “peace” has been understood as the absence of violence. By this, people normally mean the absence of overt physical harm to persons and property that emanates from wars, riots, murders, vandalism, etc.

This conception of peace holds that the maintenance of “law and order,” the pursuit of stability and a relatively safe social and political order are primary objectives of peace. In this understanding of peace, the presence of a relatively small amount of visible (overt) violence in society provides an indicator of successful peace and peacemaking. Police forces, courts, and prison systems are usually the instruments used to bring about and enforce this type of peace in the domestic arena. Internationally, the equivalent concepts include balance of power, nuclear deterrence and hierarchical power structures in which the bigger and more powerful states become the arbiters or policemen of global affairs. This approach to peace has been characterized as negative peace since its focus is on the absence of violent conflict and war.

One major shortcoming of this conception of peace is that in its preoccupation with controlling overt violence (Galtung 1969) it may condone or perpetrate another kind of more covert violence that has come to be called structural violence. Structural violence has been defined as social and personal violence arising from unjust, repressive, and oppressive national or international political and social structures. According to this view, a system that generates repression, abject poverty, malnutrition and starvation for some members of a society while other members enjoy opulence and unbridled power inflicts covert violence with the ability to destroy life as much as overt violence, except that it does it in more subtle ways. In other words, it is not only the gun that kills. Lack of access to basic means of life and dignity does the same thing (Wehr 1979).

For others, peace is viewed as a condition of tranquility where there is no disagreement or dispute, where conflicts are banished, and people—individually and collectively—live in calm and serenity. A major short coming of this conception of peace is its failure to recognize conflict as a fact of life. Instead of acknowledging its existence and learning to use appropriate mechanisms to deal with it, this notion of peace can

lead people into the misguided perception that if you avoid conflict, it will go away.

For still others, peace goes beyond a preoccupation with the absence of conflict or violence. It is seen as the transformation of conflictual and destructive interactions into more cooperative and constructive relationships. This understanding equates peace with “conflict transformation and resolution.” In this view, peace is not simply a state of general tranquility or an imposed order that suppresses discord, but is rather a network of relationships full of energy and differences. However, in this conception of peace, structures are available through which personal and social differences can be identified and worked out in ways satisfactory to all involved parties as well as to the society at large. Some times in this process, the status quo may be disturbed or long-standing structures may be shaken; but this definition maintains that peace is achieved only when the root causes of the differences or conflictual relationships are explored and resolved.

From this perspective, peace and peacemaking are not just techniques deployed to patch up differences when conflicts erupt, but are larger concepts having application even in situations that are not visibly conflictual. Peace is a philosophy, and in fact a paradigm with its own values and precepts, that provides a framework to discern, understand, analyze, and regulate all human relationships in order to create an integrated, holistic, and humane social order. What, then, are the values and principles underlying this definition of peace?

Values and Principles

The following is a brief summation of some of the most important values and principles:

1. *One cannot resolve conflicts and thus make peace unless the root causes of the conflicts are identified and dealt with.* The implication of this is that for conflicts to be resolved, one must look beyond surface issues and address the substantive and emotional issues as well as the parties’ needs and interests that are at the root of the conflicts. In other words, lasting peace between conflicting parties is possible only when deeper needs are accommodated and satisfied.

2. *It is not possible to resolve conflicts and attain peace unless attention is given to the justice and fairness of the process as well as the outcome of the settlement.* In other words, peace without justice is a rather meaningless concept, although this is not to suggest that the pursuit of justice and the pursuit of peace are one and the same thing.

In this context, the search for justice requires concern for the impact that the settlement of the dispute might have on parties not represented in the peacemaking process. In other words, this definition of peace disavows dispute settlement that favors the interests of the parties in conflict at the expense of the interests and well-being of non-represented parties and society in general.

3. *People's deeper needs are not totally incompatible.* Parties in conflict can discover commonality of interests and objectives that can lead to mutually acceptable solutions to their problems. Often the help of third parties, whose perceptions have not been distorted by the conflict, may be necessary in such explorations. If parties operate on the level of human needs, it is possible to arrive at creative solutions satisfactory to all the contestants.

4. *Conflict resolution and, therefore, peacemaking involves a restructuring of relationships,* a transition from an order based on coercion to one based on voluntarism; from a relationship characterized by hierarchy to one marked by equality, participation, respect, mutual enrichment and growth (Burton 1986).

Holistic Peacemaking

Peacemaking that embodies these values and is guided by these principles is about individual and social transformation. It is about change from immature to mature relationships, from dependence or independence to interdependence, from destructive competition to ener-

gizing cooperation, from hierarchy and coercion to equality and voluntarism, from pursuit of selfish interest to mutuality, and from an economic model that focuses simply on material prosperity to a model that integrates material development with social cohesion, psychological and spiritual growth. In other words, this peacemaking paradigm is not simply about controlling or solving conflict; it is about fostering harmony by promoting a change process aimed at building a just and humane social order. It is about constructing national and continental visions that could point ways out of the crises besieging our societies.

The paradigm indicates not only end objectives but also identifies approaches to be utilized in bringing about the desired changes. These processes entail dialogue instead of coercion, accepting responsibility instead of assigning it to others, receiving by giving instead of by taking, negotiation instead of win/lose decisions, focusing on needs instead of wants and positions, cooperation instead of competition, etc. Consistent with these processes, the paradigm also suggests roles for actors leading the kinds of change and transformation processes indicated here. Some of these roles are those of bridge-builders, consensus-seekers, mediators, reconcilers, healers, catalysts for the creation of humane relationships and a compassionate social order, and most important of all, leadership by example.

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Appreciative Inquiry: Visioning and Planning Collective Future

Robb Davis

Many of us are problem solvers and we value critical thinking skills that enable us to “drill down” to the real problem. We approach the tasks of leading organizational change, building community-based social development programs or dealing with persistent conflict by asking, “What is the problem here?” Problem, problem, problem! The Appreciative Inquiry approach begins with the premise that dealing with problems is, itself, a problem.

Appreciative Inquiry (AI) is both a theoretical construct and a capacity-building process that was first articulated by David Cooperrider of the Case Western Reserve University. It was originally conceived as a challenge to typical “problem-based” action research conducted by businesses engaged in strategic planning exercises. While its roots are in the business world, its principles have been actively embraced and used by non-governmental organizations (NGOs) and in community-based participatory action planning.

Theoretically, it is built upon four principles articulated in various ways by Cooperrider and Diana Whitney (2005):

1. Inquiry into the “art of the possible” in organizations should begin with an appreciation of the things that give life to the organization and its members.
2. Inquiry into what is possible should be applicable and lead to action and change.
3. Inquiry into what is possible should be provocative and help shape the future.
4. Inquiry into what is possible in organizational life should be collaborative.

These principles are built upon the view that change need not be based on discrete problem solving that leads to incremental change but should be creative and multi-dimensional leading to various possibilities that energize and lead to experimentation and risk taking. Giving people (whether in an organization, community, small group or movement) the opportunity to talk about what is “life giving” or energizing in the organization now creates energy for change. By focusing on the

strengths and the sources of life in the organization, we open the door for dreaming that will carry over into creative design of a new way of being.

Groups of members begin with a *discovery* process in which they interview one another to define what is working in the organization or what makes them proud to work in the organization. The results of the interviews are shared with the larger group and become the “data” that the group uses to engage in a dreaming process. During the *dreaming* process members begin to define the kind of organization they want to become by describing what they want to do in the world. After the dreaming phase, participants begin to *design* the organization that will enable them to achieve their dreams. The final phase known as *destiny* or *delivery*, provides participants with an opportunity to publicly declare commitments and begin to chart the first steps required to become the organization they aspire to be.

Hearing about AI is quite different from being engaged in it. While working for a large NGO some years ago I was asked to participate in a multi-day process using AI to help set strategic directions for field programming. I was quite skeptical of yet another “fad” but was required to participate. As about 30 of us went through the five-day AI process (from discovery to delivery), I could sense an excitement growing in the group. There was a real sense that we were helping to create a new way of being for the organization and even some cynical and hardened field workers were caught up in the wonder of what we were conceptualizing.

We were all amazed at how focusing on what was good about the organization enabled us to envision a different way forward. Indeed, we were shocked at how much was actually good about this organization given that we were often its most bitter critics. An interesting by-product of the approach was that we began to trust each other in new ways. Our guards came down and we admitted to each other some of our deepest dreams for our work. At the end of the week we shared our designs and delivery with key leaders of the organization and they were visibly shocked by our passion and conviction.

I wish I could say that the outcome was grand institutional change. It was not; perhaps because the leaders had not been part of the process and felt threatened by it. There was a lesson in this for me: AI has the potential to unleash a great deal of zeal and readiness for change but unless there is a readiness on all participants and leaders to move, the result may be disappointment for those involved.

AI, by design, draws on the power of a group to name the change its members want. It holds that patterns of social action are not fixed (let alone pre-determined) but can be shaped and varied “infinitely.” Groups—communities—own knowledge of themselves that can be mobilized to create substantial new visions and possibilities. Applied to conflict, community organizing or organizational change, AI is a potentially powerful dialogic tool for determining new action paths.

Resources

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Appreciative Inquiry and Congregational Change

Jim S. Amstutz

Finally, beloved, whatever is true, whatever is honorable, whatever is just, whatever is pure, whatever is pleasing, whatever is commendable, if there is any excellence and if there is anything worthy of praise, think about these things.

PHILIPPIANS 4:8

Appreciative Inquiry (AI) is a process and conversation that helps organizations of any kind focus on the best practices and positive energy at work within their members. Mark Lau Branson, professor at Fuller Theological Seminary, has adapted AI concepts for congregations. He writes, “AI is a different way for the people of an organization to know, to communicate, to discern, and to imagine (concerning themselves, their past and future)” (2004:19).

Akron Mennonite Church, Akron, Pa., invited several groups within the congregation to gather significant data through AI as part of our overall vision work. After training a team of listeners/scribes, we met for several hours on a Sunday afternoon with the charter members of the congregation. Significant time and effort went into shaping the questions as Branson stresses the importance of articulating questions in such a way that participants are engaged at multiple levels. AI moves through memories, current practices, and hopes/dreams to spark imagination within the group. We shared the following questions with our charter members ahead of time, which allowed ample time for reflection and engagement:

1. When you think of the formation of Akron Mennonite Church, how did you experience God at work in the process and what gave you hope for the future of the church? As you remember those first years, what was most engaging and powerful?

2. Since 1959 you have participated in numerous changes—ways that God worked among us to deepen our faith and faithfulness. Tell us about one or two times when you believe the church was responsive to God’s initiatives in renewing or deepening or challenging us—and what was the result? Who was involved and what happened?

3. As a founder you have a unique perspective on our church today. In all of our relationships and ministries, what is currently most encouraging and hopeful for you? What are the most important signs of God’s grace?

4. If you had three wishes for the next few years of our church, what would they be?

We have since used AI with leaders of small groups, congregational council, and our over-55 group. The latter group was asked to reflect and generate ideas on pastoral care since our congregation now has unprecedented numbers of members reaching retirement. A specific proposal emerged from the gathered data and was taken forward in the congregational discernment process.

AI can also be a useful tool for establishing common ground in conflict situations within the church. A year ago my colleague and I led a group of leaders and an advocacy group within the church through one such difficult conversation. While not yet utilizing AI at the time, we easily could have. During a series of meetings we began by telling our stories and steered clear of a decision-making and problem-solving process. We then looked for points of convergence and divergence in what we had shared. Finally, we re-examined the presenting conflict challenge in light of what had gone before. The earlier work helped us reach consensus on how to proceed while agreeing to disagree on some of the underlying issues. AI could have been employed in shaping this conversation since we chose to begin with a hermeneutic of appreciation instead of suspicion. We affirmed that what we shared in Christ was stronger than what could potentially divide us. Stories are powerful and can generate sympathetic connections that may otherwise go unnoticed. The adaptability of AI as a process lends itself to diverse settings and circumstances within congregational life.

Branson lists ten “Appreciative Inquiry Assumptions” in the appendix of the book:

1. In every organization, some things work well.
2. What we focus on becomes our reality.
3. Asking questions influences the group.

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4. People have more confidence in the journey to the future when they carry forward parts of the past.
 5. If we carry parts of the past into the future, they should be what is best about the past.
 6. It is important to value differences.
 7. The language we use creates our reality.
 8. Organizations are heliotropic (like a plant, they turn toward the light).
 9. Outcomes should be useful.
 10. All steps are collaborative.

One criticism leveled at AI is that it glosses over or ignores the negative history and failures within an organization. Just the opposite was true in our experience at Akron Mennonite Church. The charter members wove in numerous examples of brokenness, conflicts and failure in their AI session. One member

said, “We could have easily split two or three times over some of these issues.” AI makes room for all memories and experiences, both good and bad. The fundamental difference is the starting point. Instead of a problem to be solved, we begin with our stories, our strengths, best practices and a shared imagination. Moving toward implementation feels organic to the AI process. Once people have been heard and a shared narrative uncovered, the results can be both provocative and generative for congregational life.

Reference

Branson, Mark Lau. 2004. *Memories, Hopes, and Conversations: Appreciative Inquiry and Congregational Change*. Herndon, VA: Alban Institute.

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An Appreciative Critique

Orli Fridman

Appreciative Inquiry was first developed and used in organizations and companies, engaging people who work and create together in the same environment. In such cases, Appreciative Inquiry addresses problems and conflicts that derive from that reality. In this short article, I want to raise some questions and thoughts concerning the use of Appreciative Inquiry with deep-rooted ethnic and political conflicts. In these dialogue groups, the participants have probably never worked together or even sat in the same room—at least not as equal participants—to talk to each other and discuss their conflict.

I relate to groups in conflicts where the participants may have been exposed to a high level of violence, discrimination, hate and trauma; where the participants may have been born into the reality of conflict and were raised to hate and mistrust, with prejudices and misconceptions as a constant part of their lives. Some of them may have been soldiers in the past or may have taken part in violent actions; some of them may have been victims of violence; and some of them may have been—or still are—refugees.

What can we offer these people? How can we address their needs as they come together in order to find a way to communicate with each other—a way to face each other with their personal and sometimes very painful stories, their anger and mistrust, their fears of each other, of their realities, of talking about their past and even about their future?

One basic assumption is that this is an encounter between different peoples—different national (or ethnic or religious) identities and not only between individuals. Such an encounter will challenge reality and question the asymmetric power relation between those groups. We must remember that when the workshop is over, the participants will go back to their unequal realities where they may not experience equal rights or equal freedom of movement.

Workshops held between Israelis and Palestinians until the break of the Intifada in September 2000 are good examples. In order to attend those workshops and enter Israel, the Palestinian participants had to apply for permits from the Israeli army and then travel for four or five hours to the location—the normal one or two hour

journey extended as a result of check points along the way. The Israeli participants, on the other hand, could simply arrive at the workshops by car or public transportation. This may seem like a small or marginal detail but it helps us recognize the differences in the realities of where the participants come from—realities regarding freedom of movement and sense of dignity and self-determination.

Hence, if we focus our workshop on sharing “good news” or on positive experiences before we address issues such as justice, human rights or the realities people live with, we may be only addressing the needs of the stronger group—we allow them to avoid the hard questions of their responsibility and role in the conflict. We are familiar with the dynamics of groups in conflict when the dominant group wishes to talk about the future and avoid talking about the conflict or its past whereas the oppressed group would rather talk about the past, and not let the conflict be neglected. In the dialogue setting, people need to tell their stories—but those stories are usually far from being positive. They need those stories to be heard by their perpetrators even if the perpetrators are not yet ready to take responsibility or to admit any engagement. If these stories are not shared, the oppressed group might leave the encounter with great feelings of disappointment and frustration, feeling even worse than before. The dominant group may in fact leave quite content since they did not have to cope with the harder and more painful questions they ought to ask themselves, yet they have the benefit of feeling they “made peace.”

For example, how can we take a group of Serbs and Albanians from Kosovo and ask them to share “good news” when all the memories they have from the past years are of mass graves, refugees, violence and revenge? They need to be able to process what they have been through as separate communities as much as joint ones. They need to go over the stories, deal with feelings of anger, hate and revenge, before they will be able to talk about positive experiences they wish to imagine.

Another question we ask is how Appreciative Inquiry helps us address the profound cultural differences between groups in conflict? How do we allow the par-

participants to explore their identities? Exploring their identities means dealing with different aspects of being a majority group or a minority group; of being the occupier or the occupied; of being victims or perpetrators or a mixture of both. Asking these questions might be a hard task for the participants but it helps raise their awareness of the conflict. Raising awareness is an important objective of this process that may later lead to change. Change is slow and the participants will first have to deal with their prejudices, with feelings of superiority or inferiority and with issues such as racism, fear,

mistrust and hate. If we do not put the conflict in the middle of this process and we focus only on positive experiences, we will not be able to address those issues that are at the heart and core of many violent ethno-political conflicts.

Appreciative Inquiry therefore may be a good tool and approach to use—but only after a group has experienced a deep and meaningful process addressing the issues mentioned above. Only then may the participants be ready to decide they want to move on to the next stage.

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“The Meaning of Life”: Working at the Healing Edge

Howard Zehr

There are two themes that have been important in my life: documentary work and restorative justice. They represent a kind of tension, and I sometimes feel like my head is being split into two parts.

On the one hand, I am a photographer. I have spent almost 15 years of my life earning part of my income as a photographer. I’ve done landscapes and ads. I’ve photographed dead fish in a briefcase on a beach and goldfish in a bubblegum machine. I’ve done photojournalism in more than 20 countries. But what I like doing most is documentary work, using photography to explore and communicate people’s realities to other people who do not know them. It is a way to use photography to be on the healing edge.

The other part of my career has been in criminal justice or what has come to be called restorative justice. Much of what I do is to try to encourage people to rethink what they know about crime and justice. Again, my aim is to be on the healing edge, rather than the cutting edge.

More than anything else I have undertaken, a documentary project I did on people serving life sentences, *Doing Life*, has brought together the two sides of my life; and it has been very satisfying. It has been satisfying when lifers tell me that the experience of being interviewed and viewing themselves in photographs has transformed the way they see themselves. It is rewarding when people tell me they are using this book with young people in detention, to help them reflect on their lives. It was especially rewarding to receive a letter from a crime victim who said, “I can’t believe I am writing this letter, but I would like to be in contact with some of the people in your book who are offenders.” The project has also been a source of discomfort, because it presents only one side of a complicated equation, the offender’s side. Still, for me personally, it has been an effort to bring together that split in my life.

There are four major themes that have come together in this project for me. One of them is the idea of “social distance.” With social distance we can turn other people into objects, and then we can do all kinds of awful things to them. Social distance is also what makes it possible to neglect victims so profoundly. We

turn them into abstractions and stereotypes and symbols instead of real people.

A second theme that emerged for me is what might be called the victim–aggressor cycle. We are so preoccupied with punishment that we rarely realize that punishment doesn’t work. One recent study reviewed 23,000 literature references on punishment and could not find any significant evidence that punishment changed people for the better. One of the reasons this is true is that most offenders think of themselves as victims. Many have in fact been victims, and their experience of the justice system has caused them to feel victimized as well, simply confirming that self-image. Questions of who was the victim and what is owed to victims surfaced often in my interviews for *Doing Life*.

A third theme that comes together in this project is the question of how people construct meaning from very difficult circumstances. When you read the lifers’ quotes, you see people trying to construct meaning out of the awful things they have done and the things they have experienced since that time. Here for example is Tom Martin, a lifer in Graterford, Collegeville, Pa., prison:

There is no way to undo what I did. But to some extent I understand the suffering my actions caused. The most painful thing about a life sentence is the harm that I caused. A thinking man wants each day to matter. Maybe that’s one of the dilemmas. Too many of us think in here. So you face each day, not by saying, “How do I just struggle through?” but “What can I do to make something of this day?”

It’s that struggle to construct meaning that led me to initially call this project “The Meaning of Life.” I saw this as having a double meaning. Pennsylvania lifer Irvin Moore said it like this:

“Life” to us has two meanings. Life is life, the generic term. Being alive, waking up everyday. Life is also a sentence you serve. In Pennsylvania, life is to be served until you die.

It was that double meaning I wanted to explore, where people had taken a life and now were serving a life sentence. I wanted to explore what they had learned,

how they had constructed meaning from that experience. That is also what victims of crime struggle with. I am more and more convinced that justice is about the construction of meaning.

A fourth theme: Albert Renger-Patzsch, a photographer in the early 20th century, said that “photography seems to me to be better suited for doing justice to an object than for expressing artistic individuality” (Sozanski 1993:G01). I like that phrase. That’s my goal: to do justice to the subject.

The idea for this project came to me through a friend who is serving a life sentence in Alabama. It has been a real struggle for him. One day he wrote to me and said, “You know, a life sentence is like trying to keep a candle lit in a dark tunnel.” That started me wondering, how do men and women who are serving life sentences envision their situations? What are the metaphors they use? How do they understand what they did? In the end, I interviewed and photographed about 70 men and women serving life sentences in Pennsylvania.

I thought a lot about how to present these people. I wanted to present them honestly, but I also wanted to do it without the stereotypic clues that most photographers include with people who have offended. I have collected many books of prison photography, and they all show the bars and the bizarre settings of prison. But when we look at such photos, this triggers our stereotypes and says “offender.” I wanted to remove people

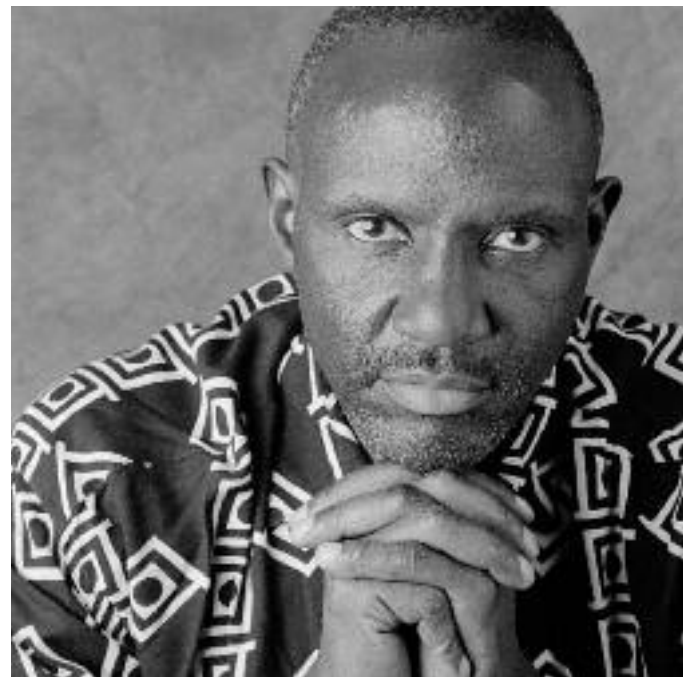
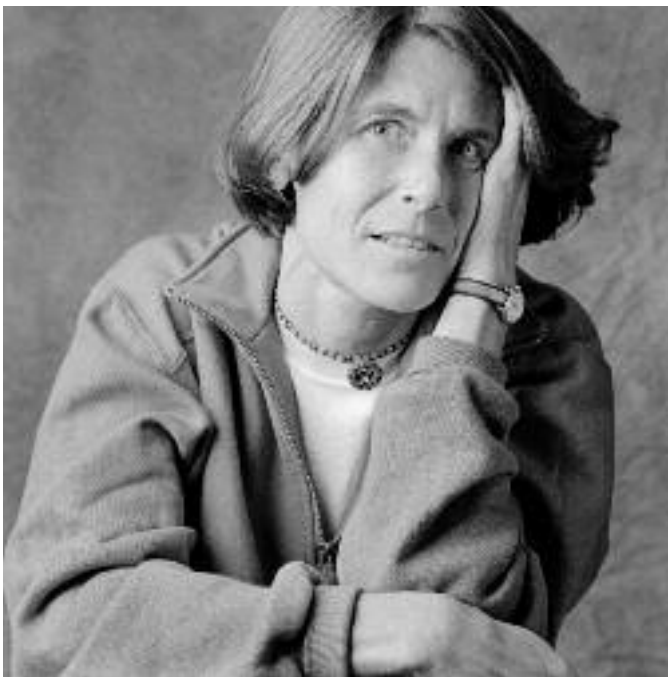
from those stereotypic clues, so I used a plain backdrop and got permission for them to wear whatever street clothes they were allowed to have.

I was also trying to find a way to work with people that was collaborative, that gave back as well as took things from them.

I was trying to “do justice” to my subjects. In the area of crime, restorative justice says that what victims require must be the starting point of justice. An assumption of restorative justice is that offenders ought to be held accountable in terms of the harm that has been done and that they have an obligation to make things right. Restorative justice also says that justice ought to engage the victim, the offender and the community in a process that seeks a genuine solution. The outcome should be one that makes things right, as much as possible.

There is a final theme that brings together the two parts of my life, and that is the topic of metaphor. I am more and more convinced that metaphors are what guide us in how we think. Whenever we think and talk about things we cannot see or touch, we use metaphor.

In the language of photography we “take” or “shoot” a picture, and we put a camera in front of our eye as if it were a weapon. Ads in the photography magazines have a “shoot out” between types of cameras. They sell an “arsenal of lenses.” This is the language of the hunt with the photographer as the predator.



Portraits of lifers that are featured in the book *Doing Life* and the exhibit “The Meaning of Life” (available for loan through MGC).

I would like to change that metaphor and see photography become subject-oriented, to be used in a way that is empowering of people, collaborates with people and gives people voice and visibility. I would like us to learn the language of receiving rather than taking.

Think about how a photographic image happens. We cannot reach out and take an image. The light reflects it back to us and we receive the image. The metaphor of mediation is much more appropriate than that of the hunt. In *Doing Life* I was trying to put what I believe about photography as receiving into practice.

I am looking for a metaphor and model of research and of justice that respects. Increasingly I am convinced that crime is fundamentally about disrespect. Victims experience crime as a profound disrespect. What they want from justice is to be respected. But too often that does not happen. I am also convinced that is

why offenders commit many of the offenses they do. It is an effort to get respect, albeit in an illegitimate way. If we are going to address this crisis we are going to have to find a justice that respects. And I think that's what the core of restorative justice is about. It is meeting the requirements of justice and doing that with respect.

In *Doing Life* I sought to do photography that respects. I also sought to do photography that speaks to the power of connectedness and that calls us into relationship. I hope I have done justice to the subject.

Reference

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The Role of Art in Spirituality and Peacemaking

Indira Freitas Johnson and Pat O'Connell

"I'm not an artist," protested a passerby who was being encouraged to join us in an art ritual we were conducting in a town square in Evanston, Ill., just a few weeks after September 11, 2001.

Our project, entitled "Rangoli: Uniting the Community for Peace," was the kick-off activity of a designated "Week Without Violence" in Evanston. Rangoli is an ancient South Asian folk art tradition in which a woman inaugurates the day by painting a temporary pattern on the threshold of her home each morning. This tradition is embedded in a ritual practice that is centered around the protection and well-being of one's family.

Our symbolic rangoli pattern incorporated such natural materials as flower petals, colorful spices, earth and rice flour into a geometric design. The pattern, which had been designed by the community in a workshop held the evening before, drew on the meaning of various universal symbols in different cultures. The resulting colorful rangoli pattern was designed to embody wishes for the protection and well-being of the entire Evanston family, celebrate Evanston's place in the world community and demonstrate the community's hope for a peaceful world.

Our reluctant passerby refused to join in at first, but stayed on the sidewalk, warily observing the activity. Gradually, however, he was drawn into the process and was soon working enthusiastically along with the 50 other participants, who represented many ethnic backgrounds and included senior citizens, teenagers, university students and parents with preschoolers. By the time the rangoli was complete and all of the participants joined hands in a joyful prayer circle, there were no more strangers, and our reluctant passerby had begun to consider that perhaps he was, indeed, an artist.

Art and Spirituality

In our work we have encountered many individuals like our hesitant friend, estranged from their inherent creative and spiritual identities. They are unable to recognize their own potential for meaningful artistic expression and for using the creative process to explore and deepen their spiritual practice. Our contemporary

American culture does not offer many avenues to honor our creative identity; we are taught from a very young age that "artists" are a separate and oftentimes mysterious group. We are only labeled an artist if someone determines we can "draw well" or perhaps if we perform serious angst-laden music or dance.

Traditional societies operate on the belief that life, art and spirituality are all integrated. They believe that the act of creation is a process of self-discovery motivated by the impulse to link the human spirit with the divine. This is rooted in the idea that the body is a temple of the spirit and hence potentially divine, providing one's personality with an inward structure. Popular ritual arts evolved to gain insight into the natural order of things and represent it in a way that is easy to understand. Ritual practice allows the mind of the individual to move between the outer level of experience and the inner level of the spirit, from the ordinary to the transcendental.

Shanti Foundation for Peace, whose mission is to promote non-violence through the arts, draws on these concepts to discover—through dialogue, art and ritual—the commonality of our human experience and the spiritual potential inherent in all of us. Our programs, such as the rangoli project described above, demonstrate that the process of coming together to create art provides a stimulating, non-threatening and equalizing forum for friendship and dialogue, for hope and celebration. When participants experience the power of imagination, are given a safe venue to voice their visions, and work collectively to bring these to fruition, there is a palpable change in their level of self-respect and respect for others. They begin to understand their ability and responsibility to affect positive change in the world. These are building blocks for peace.

Our Shanti programs often employ various folk art traditions that have their origin in the need to locate the individual within a larger universe. For example, there is an ephemeral nature to the rangoli tradition, which has been handed down through time from mother to daughter. Each day the woman creates a rangoli pattern on the threshold of her home and, in the course of the day, the rangoli is gradually erased as family and

friends walk in and out of the house. As dawn breaks the next day, the process begins again. Understanding and participating in such rituals connect us again and again to larger life forces and honor such concepts as sacred space, the transitory nature of all life and the interconnectedness of all living creatures.

Art and Peacemaking

Shanti Foundation for Peace was founded in 1993 to foster the practice of nonviolence in everyday life. Shanti creates and implements art and education programs to help children develop lifelong nonviolence decision-making skills, and community art initiatives that address issues of diversity, inclusiveness, and collaboration that foster healthy and vibrant communities. Art is the medium we teach with as creativity and the peace process are linked: both require brainstorming, critical thinking and respect for life.

Shanti artists—who represent the full range of artistic disciplines including visual art, theatre, music, poetry, filmmaking and dance—create both school-based and community art programs that emphasize nonviolence concepts while maintaining a high level of artistic excellence. The artists use opportunities that arise during the creative process to introduce ideas like

point of view, abstract thinking and long-range goals that are all essential to nonviolence decision-making. Nonviolence decision-making skills are interwoven throughout the creation, development and implementation of all our art making. Group dynamics are an integral part of the process, challenging participants to form collective decisions, cooperate, negotiate, employ creative brainstorming, analyze and self-evaluate.

Using the powerful tools of art and imagination, we promote the understanding of nonviolence as a complex and active—rather than passive—model for problem solving. Our philosophy and methodology is designed to give all of us the opportunity to think about peacemaking in exciting and challenging ways and to choose nonviolence as a way of life.

We at the Shanti Foundation have seen again and again how art and ritual foster peaceful interactions between people and reveal the mystery of the spirit while honoring its wisdom. And they help reinforce the belief in the myriad bonds that exist between each of us and the interconnectedness of all life. Art opens us to spirit and its life force.

For more information on Shanti Foundation for Peace, visit <http://www.shantifoundationforpeace.org> or call 847-492-0955.

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Estranged Relatives: Mediation and Nonviolent Direct Action

Elaine Enns and Ched Myers

The following conversation took place in December 2002 between Ched Myers, an activist theologian who is a practitioner of and advocate for engaged non-violence, and Elaine Enns, a veteran mediator and restorative justice educator, trainer and organizer. Ched and Elaine are married and work together in Bartimaeus Cooperative Ministries in Los Angeles, Ca.

Elaine: Ched and I met at a peacemaking conference in 1997 where both of us were speaking. We sat in on each other's sessions, appreciated each other's work and began an interesting dialogue concerning how best to mitigate violence in our society. What we discovered was that our respective "worlds"—Ched's among activists and mine among mediators—tended to spin in different orbits. On the whole, those practicing nonviolent direct action and those doing victim-offender or other kinds of mediation rarely talk to each other. We are aware of each other's work, but tend to keep a wary—and not always respectful—distance from each other. While we share much of the same analysis around the epidemic of violence in our society, we each think that our nonviolent skills-set and intervention techniques are the more important ones.

Ched: I think my experience is not untypical. Before meeting Elaine, I'd worked for 25 years in the field of active nonviolence and was involved in all kinds of different peace and justice campaigns—from community organizing to international solidarity. I had collegial relationships with local, regional and national organizations; had worked with various forms of direct action, civil disobedience and public liturgy (marches, sit-ins, blockades, boycotts, trespasses, war tax resistance, sanctuary refugee smuggling, labor strikes, etc.); and taught and trained nonviolence. Yet in all this, I could count on one hand the times I had talked at length with—much less collaborated with—someone in the mediation and conflict resolution field.

Elaine: The same was true for me. In completing a master's of arts in conflict management and peacemaking, I had studied Gandhi and King, but in over a decade of practicing mediation I had no working rela-

tionship with those doing direct action. I marvel at how insulated we were from the strength, perspective and insight of each other's work.

Ched: In my capacity as a program director for the American Friends Service Committee, I certainly knew about victim offender reconciliation programs and creative conflict resolution programs, and was aware that the field of peace studies was growing rapidly. But as an activist I was frankly suspicious that academic conflict studies were overly insular and theoretical, and that mediators tended to paper over issues in order to achieve resolution. I had learned from Gandhi that the first task of genuine nonviolence was to unmask injustice, which usually meant creating conflict, in which the truth would then be revealed. Yet I had never actually sat in on a mediation!

Elaine: I think some of your concerns are valid. In the mediation culture, there is an emphasis on process and on not taking sides. This can be good, but can mediators really be equal advocates for both parties in a situation of clear oppression or injustice? We do not always include a contextual power analysis in our approach, and thus don't give adequate attention to inequities in the system in which the conflict is taking place. We have a tendency to focus on interpersonal dynamics to the exclusion of structural ones. This leads some practitioners to believe they "can mediate anything," an attitude that doesn't acknowledge how many conflicts are rooted in difficult underlying issues that are not simply resolved, such as racism or economic injustice. Also problematic is the fact that we do not always recognize that our practices of mediation often depend directly or indirectly on coercive power. We see this for example in Victim Offender Reconciliation Programs (VORP), where offenders who are not willing to go through VORP will then be sent through the criminal justice system; or in many institutional cases in which the alternative to mediation is litigation or retribution.

Ched: On the activist side, we too often forget that dialogue is the beginning and ending point of nonviolent engagement. Direct action comes only when public

conversation has broken down, e.g., when one’s legitimate demands are consistently ignored or silenced. Moreover, the goal of public action is to coerce one’s adversary to come back to the table precisely so that differences can be mediated, power equalized and justice restored. One sees this classically in the nonviolent campaigns of the Civil Rights movement, the labor actions of the United Farm Workers, and Gandhi’s independence struggle. And throughout the campaign, public conversation is solicited; King’s powerful public oratory, for example, was the dialogical counterpart to Freedom marches, bus boycotts or lunch counter sit-ins. Disruptive resistance to the “good order” of Jim Crow also required interpretive strategies intended to advance public dialogue so that old worldviews and social patterns could be transformed. Following Gandhi, King’s vision of the “beloved community” insisted that the adversary ultimately had to be part of the solution. This goal is obviously shared by mediators. The problem is that activists often turn to street action before conversation has been attempted, and without a plan (or the skills!) for re-engaging that conversation when the time comes to transition to mediation/negotiation.

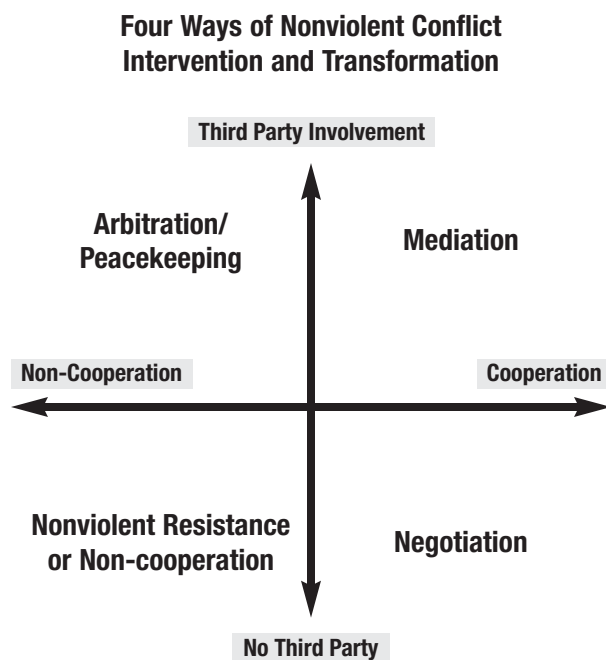
Elaine: So Ched and I came to feel that activists need to think more about how to get people to the table, and mediators need to wrestle with what you do when conversation breaks down or is impossible because of power imbalances. Our first opportunity to open up our conversation was at a workshop we did at a Christian Peacemaker Teams congress in the fall of 1998, where we argued that the two traditions of nonviolent action and mediation, though “estranged,” were, in fact, relatives.

Ched: Right. Both branches of peacemaking were inspired by and grew from the same tree—the great 20th century experiments in popular nonviolence (e.g., Gandhi and King) and international peacekeeping (e.g., the United Nations). But the approaches of nonviolent direct action and mediation/conflict resolution began diverging during the late 1960s, and we believe their subsequent evolution suffered because they forgot they needed each other’s skills, commitments and passions. So we are trying to discover a way to talk about them as part of a continuum of practices that are expressed in different contexts. We developed “Four Ways of Nonviolent Conflict Intervention and Transformation.” (See diagram on this page. The continuum was inspired by Ron Claassen’s model “Four Ways to Respond to Conflict” that can be found in *Discipline that Restores: Strategies to Create Respect, Cooperation and Respon-*

sibility in the Classroom, 2008.) The horizontal trajectory acknowledges that conflict transformation/violence reduction measures must be adapted to both cooperative and non-cooperative settings; the vertical trajectory distinguishes between approaches that use third party involvement and those that do not or cannot.

Elaine: The happiest scenario is when there is an agreement between the parties themselves to *negotiate* their differences—and, of course, the power to do so. This obviously assumes a relative equity and trust between the persons or groups (the lower right quadrant in the figure). Negotiating conflict and difference happens all the time in personal and social spheres, yet requires skill in articulating one’s own position, listening to the other’s, and finding common ground. Moving counter-clockwise around the quadrants, the scenarios intensify when breakdowns of trust require third party involvement. Here the conflicted parties come to the table either voluntarily—the classic context of *mediation*—or are in some way compelled to come (*arbitration*). The political equivalent of the civil process of arbitration would be a United Nations *peacekeeping* force intervening between two hostile groups—or ideally a nonviolent response team with the capacity to impede and halt hostilities (an emerging vision being worked on by groups such as Nonviolent Peaceforce).

Ched: In some ways the acid test of any peacemaking/violence reduction strategy, however, is what we do



when power is way out of balance and there is no third party or international entity able or willing to intervene (bottom left quadrant). This is of course the case with many domestic and international conflicts, whether between Mayan Indians and Guatemalan militias; the Chinese government and democracy advocates; Filipino peasants and transnational corporate logging operations; Christian gay/lesbian rights advocates and church authorities; or a battered woman and her husband. From precisely such difficult scenarios have arisen some creative and heroic experiments in “people power” that represents *nonviolent action* at its best.

Elaine: We must remember, though, that the point here is that all these methods are related, representing different tools in the conflict transformation knapsack. While it makes sense for different groups to specialize in these

scenarios, we must improve our collaboration and communication across “sectors.” Indeed, it would be most helpful for all of us to have a working knowledge of each other’s skill-sets. The “happy” circumstance of negotiation may break down. Mediators may encounter intractable structural issues of power imbalance. There may be no opportunity for arbitration or peacekeeping. This is why the core tool, particularly for those socially or politically marginalized, is always the empowering practice of nonviolent self-defense (*noncooperation*) or nonviolent militant engagement (*resistance*). At the same time, the purpose of what Gandhi called “the most powerful force on earth” is always to move slowly back around the circle to a place where conflicting interests can be negotiated by self-determining, yet interdependent, groups in a peaceable and just way.

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One Mother's Quest

Rachel Miller Moreland

On a sticky summer day last July 23, Shawn Burton heard his name called over the loudspeaker in the Frackville, Pa., state prison. He felt his heart thump wildly.

Latrice Floyd had arrived at the prison. She was prepared to meet Burton, who is serving life in prison for killing her son. A decade had passed since the murder, but Floyd's grief remained fresh.

Floyd and Burton were brought together through the Pennsylvania Mediation Program for Victims of Violent Crime. Two volunteer facilitators from the program—including Lorraine Stutzman Amstutz of the MCC U.S. Office on Crime and Justice—had spent hours talking with both Floyd and Burton prior to the meeting, exploring what they hoped to gain from the process.

What Floyd wanted, she told them, was to move beyond the pain—not to forget her son, but to create a life shaped by more than her loss. Although she didn't know it, in his prison cell Burton was also struggling to move beyond the past. In each other's stories, both mother and prisoner found a new beginning.

Floyd heard about the death of her son, Seth, in March 1993. She was living in Los Angeles, where she had raised him; Seth was in jail in Pennsylvania when he was killed. She didn't think in terms of being able to forgive at first, only of surviving from moment to moment.

"I was a woman who woke up crying every day for five years," she says. "I loved my son."

An outgoing boy, Seth enjoyed people and football, she says. She worked hard to send him to good schools. He wanted to be a chef. But Seth fell in with the wrong crowd. He moved to Pennsylvania and got involved in the underworld of the drug trade.

Shawn Burton knows a thing or two about those dangers. He, like Seth, grew up in a tight-knit household. His mother encouraged her nine children to dream of a life beyond their rough Pittsburgh neighborhood. But, restless, Burton dropped out of school and started working. His minimum wage janitor's job couldn't compare to the wads of cash his friends earned dealing drugs. He started dealing, too.

Both men were in the Allegheny County Jail in March of 1993, awaiting sentencing for separate drug-

related crimes. They were casual acquaintances through their network of dealers.

On March 9, the news spread that Seth was dead.

The officials who contacted Latrice Floyd said that her son had hung himself with a shoelace. But after a second autopsy brought into question the suicide claim, jail officials named Burton as the killer. Floyd traveled to Pennsylvania for the trial at which Burton was convicted of murder and sentenced to life in prison.

Then she went home to Los Angeles and Burton went to prison. Both felt trapped.

"I was still so angry," Floyd says. She tried therapy. She tried bereavement group meetings. She devoted herself to her daughter. But the pain stayed. Floyd felt that she had failed as a mother, and she was haunted by lingering uncertainties about the circumstances of Seth's death.

Then one day an article on victim-offender mediation caught her eye. Floyd couldn't stop thinking about the idea, although friends and family were aghast that she would want to speak to her son's killer.

"I was so empty then, so void of God's presence," she says. "I was willing to try anything that would align me with hope and belief."

She learned about the Victims of Violent Crime program, which Amstutz helped to found. Since its inception in 1998, the Pennsylvania program has completed mediations between 40 victim-inmate pairs. Floyd set the process in motion.

Burton, meanwhile, had spent years examining the turns his life had taken. To this day, he maintains that he did not kill Seth Floyd, and he is appealing his case. But, he says, that doesn't absolve him of responsibility, since he knew about other inmates' plot to kill Seth. Burton didn't speak up, an omission that he deeply regrets.

His days are ordered now by the grim routine of prison life, with its headcounts and lock-downs. In an irony he acknowledges with a rueful smile, he works as a janitor in the prison for 18 cents an hour.

But far more difficult has been the sense that his life has been a waste, marked only by hurting other people. He hit bottom, he says, when he was in "the Hole"—solitary confinement—several years ago. Then, in a dream, God assured him that his life did have meaning.

When he was contacted about meeting with Floyd, his apprehension took a backseat to the idea that this might be a way to give back.

“I wanted her to see my remorse,” he says. “I wanted to give her that closure.”

He got his chance on that July day in 2003.

Both Floyd and Burton are talkative people. Seated across from each other at the prison conference room’s small table, nervousness heightened this tendency. Their stories poured out in a rush of words and tears. They talked for three hours, took a quick break and then resumed for several more hours.

What Floyd found in the prisoner sitting across the table from her was a deeply wounded man—a man who had much in common with her own son. Burton found a wounded woman. The roles of victim and offender melted away, Floyd recalls, leaving nothing but two struggling people.

As she headed home to Los Angeles after the meeting, Floyd felt alive for the first time in 10 years.

While she would still like to see the man she and Burton believe is actually guilty of the crime brought to justice, she is at peace. She needed to hear the details Burton was able to provide about her son’s death. And she needed to look into Burton’s eyes and hear him say “I’m sorry” for the part he played.

Before meeting with Burton, “I never told people a true story of how my son died. I don’t know . . . saying he died in jail was too much. I was hiding the fact that he died a tragic, violent death,” she says. “The media-

tion allowed me to say that it was OK to acknowledge this violent act. I could accept it and start to move on.”

Burton left the meeting feeling both drained and cleansed.

“I felt mentally exhausted for three days afterward, as if I’d run a marathon,” he says.

While it helped him come to terms with his own life, the meeting also heightened Burton’s sense of urgency in appealing his case. Raised largely without male role models himself, he wants more than anything to be an example for his three sons. Burton sees himself especially in his middle son—the 17-year-old, the one drifting toward a life of crime and drugs.

As Burton has witnessed, that path ends in prison or the grave. He prays his son will choose another way.

Learn more

For more on the Pennsylvania Mediation Program for Victims of Violent Crime, go to <http://www.pbpp.state.pa.us/ova/cwp/view.asp?A=3&Q=152848>.

Discover whether your province or state has a similar program. In Canada, contact James Loewen, MCC Canada Restorative Justice Program coordinator, e-mail rjl@mennonitecc.ca; in the United States, contact Lorraine Stutzman Amstutz, MCC U.S. Office on Crime and Justice director, e-mail lsa@mcc.org.

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Winnipeg Circles of Support & Accountability (CoSA): The Continuing Journey

Joan Carolyn*

This article is shared with a deep sense of gratitude and humility in the hope of highlighting some of the wisdom found within the Winnipeg CoSA journey. Winnipeg CoSA, a program seeking to assist with the constructive integration of high-risk offenders, is an interfaith program that Mennonite Central Committee Manitoba (MCCM) was requested to administer by Correctional Services Canada, Chaplaincy Division (CSCC). The development of our program is built upon the belief that it is in coming together that we gain in strength. This article seeks to reflect that strength by combining contributions and responses from a variety of volunteers and other Canadian CoSA representatives.

First and foremost we wish to honour that it is our core members' choices to work toward healthier living that raises the need for circles. These people, facing the harsh reality of high-risk offense cycles are our primary volunteers, the core members of our circles. Most of our clients to date have also been helped on this journey to understanding their offense cycles by treatment programs within the correctional system. When a potential core member applies to join the CoSA program, an essential part of the procedure is the requirement that they share their integration plans—understanding of their offense cycle, plans for healthier living and their perception of what a circle has to offer. We need to respect the inherent worth and dignity of every person, a respect that also believes in his or her ability to learn to live well with appropriate supports.

Supports transition us to our next foundational group of participants, the support volunteers who make up each circle. The demands on individuals who join our program as support volunteers are fairly high—a minimum commitment to a weekly meeting and phone call; a nine-session volunteer training requirement; a willingness to engage in intimate dialogue with its correlating requirement to be vulnerable; respectful interaction both within the circle and with related community members and professionals. Our support volunteers also come from many walks of life. The oldest of our support members is 81 and our youngest, 18. There have been men and women, survivors of assault and perpetrators of assault, members of various faith

traditions/belief systems and cultural backgrounds, along with a wide range of interests, skills and knowledge. All these factors come together to create wonderful circles. Assisting us in the constructive operation of these circles has been a strong, committed core of professional volunteers who have provided consultation, training and resource networks.

A point to celebrate here in Manitoba has been the creation of a High Risk Management Team that has opened its doors to CoSA. As a part of this team, CoSA representatives join with core members, police, therapists, Employment and Income Assistance, mental health, Provincial Special Needs, Parole and Probation, etc., in creating optimum plans for healthier integration. As a part of the MCCM structure, we have also been privileged to have a Circles Advisory Team working with us in the responsible development of our program. CoSA seeks to have local community representation on this committee and currently have members from: Oblates Peace and Justice Office; Stony Mountain Institutional Chaplaincy; community therapists familiar with victims' concerns; Aboriginal Traditionalist Healers; CoSA Circle volunteers; and the Open Circle prison visitation program. We've also been blessed to have resources (personnel, finances and materials) made available to us by our primary funding agency, CSCC.

As we strive to walk together with those seeking to break out of a cycle of violence, we cannot lose sight of the wider picture. No one organization may be able to work closely with all parties in a conflict, especially when levels of violation have been high. Some space is required to ensure physical and emotional safety, especially in the early days of healing for those who have been hurt and those taking responsibility to stop violent cycles of behaviour. Yet our work with one group involved in that conflict (those with high-risk offense cycles) should not be isolated and in order to ensure that we develop the best program possible, we require input from all the perspectives involved.

The Winnipeg CoSA program originally fell under the Open Circle prison visitation program, and now is a program in its own right under the umbrella of MCCM.

A great deal of the early planning for the program was done in consultation with the directors of Open Circle. Drawing on the wisdom of that program's 30-plus year history, we have come to the realization that we require volunteers that are compassionate and not naive. A desire to help needs to be informed and volunteers need to be well-rooted, mature people. Like the water safety advice, if you jump in to save the drowning person, it will probably create two in need of saving. If you reach from a solid base with an offer of support, it's more likely you'll both end up on solid ground. In order to assist our volunteers in becoming informed, CoSA Winnipeg provides nine levels of basic training as well as circle-specific training should the need arise. There is also a training manual available through CSCC to which we have added training sessions on suicide intervention and prevention, as well as universal precautions (necessary training for a volunteer pool working with an at-risk population).

Support volunteers bring with them their own experiences that can prove to be strong assets to a given circle. The volunteers with close personal experiences of violence—either as its source and/or recipient—have proven to be some of our greatest resources. We have found it necessary to request references from all volunteers indicating their level of maturity for CoSA involvement. In the case of those who have directly experienced violence, one of their references needs to come from someone qualified to state that they have reached a point of stability (formal and/or informal therapy) and maintained it for at least one or two years. As we seek to build peace, we do not wish to create circles in which someone may be re-victimized or attacked (physically, emotionally or verbally) because of past experiences.

CoSA invites all volunteers to continue their personal growth journeys as they join in circles focused on helping our community grow toward health. In the introduction, it was mentioned that volunteers in our program are required to be vulnerable. Within the daily operation of a circle, that means a willingness to be open to challenge regarding their behaviour and views. We used to say that we invite people to be vulnerable but upon the advice of our Circles Advisory Team, we now state it as a requirement. When we create circles requiring core members to be open about very intimate details of their lives, healthy relationship development will eventually lead to a give-and-take of that type of openness. Foundational to mutual vulnerability is a belief that our whole community is in need of healing. We are seeking those who have and/or are willing to

look closely at their own strengths and growth areas, and from this base reach out to share strength with others. Arnold Mindell's book, *Sitting in the Fire* (1996), reminds us that it is the unacknowledged concerns within our own lives that we bring into any unhealthy situation we attempt to rectify. Those unhealthy, unacknowledged behaviours of our own carry with them the potential to plant seeds of destruction within our best efforts. This view of vulnerability also normalizes the idea that our whole life is a continual journey of growing/learning. Popular psychological theory highlights the fact that at various stages in our lives there are things that need to be learned. Within circles, this perspective is essential since it shifts the relationship from one of we, the helpers, helping you, the needy, to an invitation to join a community committed to growing toward health. Each circle is designed to have a core group of mature members who are stable, offering an anchor for those finding themselves in times of high stress. However, exceptionally mature or not, our circles strive to develop a healthy give-and-take, recognising that each of us has wisdom to contribute to the whole.

Ideally, circles work within a group consensus model. They are also strongly encouraged to utilize available professionals for expertise in making difficult decisions. In most cases, we at the Winnipeg CoSA have sought to have some experienced volunteers in each circle. This is not always the case and there may be times when an inexperienced circle decides to act in a way that raises serious concerns for the CoSA staff and/or liaison. If upon consultation with specialists in this area and continued dialogue with the circle, the CoSA staff remain convinced that the decision carries too high a potential for danger, as program facilitators responsible to our wider community, we have the authority to veto a circle's choice. Our belief in the theory, development, support and practice of group decision-making processes has meant that to date we have never had to invoke this veto power.

There are times that our journey causes us to see and become involved in matters outside our limited circle microcosm. We are attempting, in our limited way, to build toward greater community health, one circle at a time. Yet we would be remiss if we failed to share that trying to deal constructively with cycles of violence on the micro level will usually mean engaging in some macro concerns and situations.

One of the macro concerns we've encountered—cycles of violence—is still alive and doing quite well within many, if not most, of our communities. In the first three to four years of our program's brief history,

we spent most of our public education time simply attempting to get in the door and open up constructive dialogue about cycles of violence. Then and now, we are battling a thousand—for every group and religious denomination with which we have interacted, we have heard stories of violence in their midst; a violence that many of them are struggling just to be able to name, let alone deal with. There is a crying need for a program such as this to have increased capacity (staff/volunteers as facilitators and/or speakers, time and resource allocation) to do community education.

We still live within a highly inequitable world where access to resources, history of stable community support structures and development, equal representation within structures of power, etc., are not a common reality. Especially within the Prairie region of Canada where the most recent statistics from Correctional Services Canada indicate that people of Aboriginal descent comprise 59–75% (fairly conservative statistics depending on definition and proof of status) of the prison population, yet make up only 15% of the general population. As a program, we have sought to maintain Aboriginal representation on our Circles Advisory Team as consultants and trainers, among our support volunteers and as our core members. The attempt is also made to develop each circle in such a way that support volunteers from the cultural tradition of the core member will also be present. If we have no support volunteers available from a particular cultural group, we will call upon organizations from that tradition to either make a referral or gain some participants. We wish to humbly acknowledge that there is a great deal more to be done in this area and that we have only succeeded in taking small steps thus far. At this point we also wish to acknowledge the need to mourn the gross inequities that, despite our best efforts, can incapacitate and drag people back into unhealthy, destructive behavioural cycles. May we as wider communities continue to look with care at our role in the support or inhibition of the growth toward greater health and peace.

We wish to close by highlighting a few of the other concerns that draw us to look beyond our current practice to pursue new growth. CoSA, as it currently exists, is not appropriate for everyone. Winnipeg CoSA is still predominantly Caucasian and heavily Christian. Our goal is to have circles that have a range of people rep-

resented, especially those with similar backgrounds to that of the core member. We continue to strive to support other groups in joining us or developing their own services in order to address these needs. As we attempt to do our share in working toward peace, we are very mindful that the resources—material, financial and human—are insufficient to meet the demands we encounter. CoSA continues to struggle to build a solid support base and increase those resources. We also want to recognise that CoSA can only address certain aspects of the violence that communities encounter. Therefore we feel compelled to reach beyond the scope of our program and advocate that our community, formal and informal, respond to the need for greater services and resources for victims/survivors.

Winnipeg CoSA's journey, spanning the last 10 years and involving so many different people, is richer than can be described within this brief article. It is also only one of several programs across Canada (please check with both Mennonite Central Committee Canada and Correctional Services Canada, Chaplaincy Division for a listing of all the CoSA programs within Canada) that share some basic principles but have developed unique aspects in their implementation. Our hope is that what we have shared will provide some basic information and inspire others to continue and/or develop their own attempts to create healthier communities.

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Respondents—Murray Barkman, Denis Beaulieu, Moira Brownlee, Lorrie Brubacher, Joe Darlington, John Dueck, Debra Fehr, Shosana Funk, Bogumil Gajda, Eileen Henderson, Bryan Larsen, Brendan Mierau, David Molzahn, Martin Penner, Janis Prochera and Jewel Reimer

Final editors—Joan Carolyn and Brendan Mierau

This is a summary of a longer article. The full article is available from cosawpg@mennonitecc.ca.

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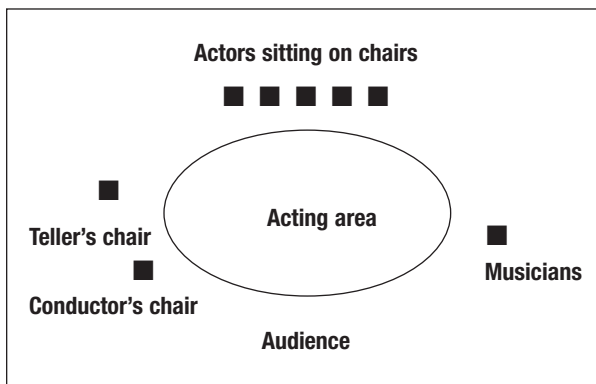
Inroads to Trauma Healing: Experience with Playback Theater

Florina Benoit and Ashok Gladston Xavier

Playback Theater (PBT) is the result of theater expeditions carried out in the '70s. In 1975, Jonathan Fox founded PBT, which combines the traditions of storytelling, psychodrama and ritual theater. PBT can be used as entertainment and as therapy. Currently, PBT is practiced in over 50 countries around the world. Its interactive nature makes it relevant to any situation in which it is applied.

Since the PBT setting requires very few props or theater equipment, it is ultra-mobile. It is also informal and allows the storyteller to interact with the actors. PBT is performed by trained actors who go into situations and act out stories of the community. The theater was started as a way to challenge traditional theater.

Below we find the basic structure in the Playback Theater (*IPTN* 2004).



Trish Malone writes, “It can be a profoundly validating experience for the person telling, to be seen and heard in a public forum. The audience too, gets the vicarious message that their stories are worthy. They engage in a type of witnessing that creates an age-old sense of community. Since people have sat in a circle around a fire, they have practiced story-telling and story-listening. Perhaps that is what gives the potent ritualistic feeling to a Playback performance. It taps the ancient archetypes of both Storyteller and Theater” (Chronogram.com 2001).

PBT can help not only the storyteller but also the many others involved in the process. The actors, too,

gain a lot from the experience. First of all, the actors, although they don't know the story, rehearse with their own stories. People from all over the world are involved and can come together in a performance. They all share the spirit of the theater. In PBT we find that there are no lead roles; everyone is a supporting actor. Improvisation and giving space take precedence in this form of theater. Each actor gives what he or she has and in turn receives a lot from the audience. Being part of PBT can be a life-changing experience.

As one source states, “Playback Theater is not a form of psychodrama, nor is psychodrama a form of Playback Theater. Playback Theater is a form of improvisational theater that consists of a trained acting troupe acting out stories from the audience. The teller of the story watches. The goal is to build community through shared stories” (Hudson Valley Psychodrama Institute 2005).

In our basic PBT training, we give the participants an idea of what PBT is all about. Initially it is a new skill that they are learning and they are excited about it. Slowly we move into the techniques of PBT. We do fluid sculptures to show emotions and then we move to storytelling. Even at this point there isn't much change among the participants; they just keep narrating their stories. Then the participants are ready to act out a story. We now invite one participant to share his or her story and five others to act. The mood suddenly changes when the storyteller starts his or her story: They are going from storytelling to playing back real life.

In one instance, the first storyteller narrated his story in which his nephew was killed after he answered the door. All listened attentively. The actors each stood up as they were assigned roles by the storyteller. The actors were internalizing the story. Each of them, I am sure, saw the scene right in front of their eyes. Then I said, “Let's watch.” (In PBT, this is what the conductor says to the actors to begin the playback.) All the participants were curious. Some were giggling to see their own colleagues and friends acting.

The actors were having tea when they heard the knock. When the nephew was about to answer the door, there was panic in the family's eyes. This part was never

expressed by the teller, but the actors brought it out. The nephew hesitated before he went to open the door. The highlight was when the man playing the wife of the storyteller broke down, cried and shouted. The audience was awe-struck. Many of them had gone through this anguish in their lives, and here was a man who was playing the role of a woman crying out in pain. They were all able to relate to the story, and many wept.

After the story was over, we spoke to the storyteller and then asked for the next story. Many hands went up. We did two more stories and finished the performance. Everyone was quiet. There wasn't much interaction in the group. After dinner, we gathered the group together and processed it. Tearfully, many shared their stories with the others, and the group became stronger. There was a clear shift from the hardened people of the day before to these people who hugged each other and wept. Something had changed in their lives forever. For some of the participants it was the first time in 15 years that they broke down and cried. They didn't feel ashamed; they felt supported. PBT had helped them come out of their shells: It freed their hearts.

While using PBT in therapeutic settings we have seen a lot of challenges. The homogeneity of the group has always remained an important issue. In cases where

we have applied PBT with heterogeneous groups, it took more time and effort to process the intense emotions that came out. Therefore, it is always important to conduct an emotion check and make sure that there are support systems available to handle intense emotional moments that may last much longer than the PBT performance.

In our experience, PBT has proved to be a good tool to get people talking about their trauma. It gives an inroad into emotions and helps people to see what they have been through. In homogenous groups, many are able to resonate with the emotions that rise out of one story. This assists in opening the wounds and exposing the bitterness. The processing that happens after the performance helps to dress the wound to facilitate a natural healing.

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Interactive Theater Learning Module

Florina Benoit and Ashok Gladston Xavier

Brief outline of interactive theater

What is interactive theater?

Interactive theater, like all forms of theater, has actors, a story and a setting for action. What makes it different from other forms of theater is the ability to interact with the actors and the action that takes place in the performance. The members of the audience form part of the acting team and therefore are known as “spectactors.” The stories are real-life incidents that are enacted with real emotions.

Why use interactive theater?

Interactive theater is one of the best tools of social change. It portrays real-life incidents to people and allows them to explore alternative methods to resolve conflicts. Some forms of interactive theater are forum theater, playback theater and street theater. These theater forms have been effective tools in raising awareness about a particular issue, and promoting and preparing people for practical interventions to social problems. Additionally, they have remained as some of the best forms of *politainment* (political entertainment).

The module outlined below is designed to help train social activists in Playback Theater.

Introduction to Playback Theater

Jonathan Fox founded Playback Theater¹ in 1975 as a result of his theater explorations in Nepal and other countries. Playback Theater (PBT) is an original form of improvisational theater in which audience or group members tell stories from their lives and watch them enacted on the spot. Whether in theaters, workshops, educational or clinical settings, PBT draws people closer as they see their common humanity (*IPTN* 2004).

A group of trained actors performs each show with the active involvement of the spectactors. The lead role is shared by the storyteller, who is a member of the audience, and the conductor, who is a member of the performing troupe, and about six actors. The conductor helps to elicit the story in a way that the actors are able to get enough detail to act it out. In addition to stories, emotions and conflicts are also enacted in the form of fluid sculptures and pairs. Fluid sculptures are human

statues that can move and have a voice. Fluid sculptures help in capturing an emotion that is told by the storyteller. Pairs are used to depict conflicting situations.

Basic principles and ground rules

The basic principle of this theater form is to listen to people’s stories in a safe space. Using art, theater and ritual, a magic connection is developed among the actors and the storyteller, creating an organic whole. The actors and the audience commit to maintaining confidentiality in order to provide the safe space.

Loosening-up exercises: 1 hour

All theater training starts with a set of loosening-up exercises. The emphasis on individual and group loosening is considered very important. The individual exercises help in preparing the body and mind to break free of stress and prepare the actors to act. The group loosening exercises help to foster a relationship among the actors and create an acting community.

1. Examples of individual loosening exercises

A. Make a funny face

Make a face as if it were being sucked by a vacuum cleaner. Squeeze, freeze and let go. This helps to flex all the facial muscles and activate the facial blood flow. Imagine that there is a child in front of you and you have to make him or her laugh by making a funny face. Pull and stretch every facial muscle and bone that you can move.

B. Exaggeration

Theater is a controlled exaggeration of life. It is also the dramatization of reality. Start with a daily activity such as brushing your teeth. If you had to amplify it about 10 times how would it feel? How would it feel if you had a huge brush in your huge mouth?

C. Dance to the tune

Play a semi-jumpy tune and try to dance to it. This dance need not be in time with the music; just shake all parts of the body and try to loosen up your muscles to get ready for further action.

II. Examples of group loosening exercises

A. Passing the energy

Come together as a group and form a loose circle. Imagine that you hold a ball of energy in your hand, give it a shape and pass it to another person in the circle. The recipient then gives it a shape and passes it to the next person in the circle. Be careful not to drop the ball. Try to be as imaginative as possible and keep passing it around the circle. When you feel that everyone has had enough chances to carry this out, come together in a tight circle. Place the imaginary energy ball in the center so that all participants can get a hand on it and then release it to the roof. This exercise will help in building a community and caring for a common property called “energy.” The energy is believed to fill the room, creating common ground.

B. Mirroring

Mirroring is probably the most common theater exercise. It enables actors to imitate actions of a particular person. Mirroring also facilitates the dramatization of the issues. All members of the group are in a loose circle and one person starts with sound and movement. All others look and mirror the sound and movement. The process is repeated a few times until all members of the group have had their actions imitated.

C. Come with me

In interactive theater it is important to build and identify coalitions. The objective of this activity is to facilitate group bonding and develop sensitivity toward the other group members. In this exercise, members of the group are scattered around the room. One person starts by saying a statement starting with “come with me” such as “Come with me all who support human rights.” All who support the statement will walk to that person. Another person starts with a new statement beginning with, “Come with me . . .” Those who don’t agree with the statement are welcome to stand where they are or call out another statement.

Preparing for playback: 1 hour

Preparing the actors for the actual playback is a process by itself. This stage consists of introducing the stories, storytelling, active listening and paraphrasing. The objective of these exercises is to orient the actors to the actual storytelling part of the playback performance.

I. Storytelling

A. Telling the story

Choose a partner and share a story. It could be any story that took place in your life. Once the stories are shared, ask for any clarifications.

B. Paraphrasing

Choose another partner and share another story. Once the story is told, try to paraphrase with the basic details. Paying particular attention to the key words and emotions helps in building trust.

C. Pair and square

Once the story is told and paraphrased, the pair should choose another pair and share their stories. The other pair now paraphrases the stories. Once this is done the roles are reversed. This process helps in widening the community and builds confidence among group members.

D. Storytelling in pairs

Participants choose partners. One of the partners starts a story and as the story progresses the other partner continues the story. The partners keep the story going by switching the teller roles. The switching happens on a spontaneous basis as the listener feels called to continue the story. Once the listener starts, the storyteller has to stop. This exercise helps in spontaneity and creativity.

II. Acting

Acting exercises have remained important in interactive theater. The objective of these exercises is to orient the actors toward spontaneous acting.

A. Sculpture and the sculptor

This exercise aims to create that “let go” feeling in actors. The exercise is done in pairs. One person is the clay and the other the sculptor. The clay and the sculptor cannot talk. The sculptor has to carefully create a sculpture out of the clay. It could be any shape or size. Once this is done the sculptor shares what he or she has created with the sculpture and the sculpture reflects on the feeling of being sculpted. The process is reversed and reflected upon.

B. Moving sculpture

The next exercise is a variation of the sculptor and sculpture. The objective of this activity is to balance the acts of letting go and taking control. Similar to the sculptor and the sculpture, one person starts sculpting the clay. During the sculpting, the sculpture gains life

and becomes the sculptor, starting to give shape to the sculptor (now the clay). This process is repeated about five times. In the reflection time, participants share about the experience of being a sculpture and a sculptor.

C. Making the sculpture and merging it with other sculptures

A variation of the same exercise: Once created, all sculptures freeze and look around for similar-looking sculptures. Based on similarity, the sculptures join together to form bigger sculptures that move and freeze when they feel they have completed the sculpture. The aim of this exercise is to provide the participants an experience of collaborating with others in the process of acting.

Getting to the story

The story is an important component of interactive theater. It is even more special because it comes from the audience. The stories are real and true, hence it is important to get the exact details and act it out as accurately as possible. Within the limited time, however, it is always a challenge to get the story out with sufficient detail.

One participant is invited to share a story. Once the story is told, other participants spontaneously take roles and act out the story.

In the next step, another participant is invited to share a story. This time the storyteller gets to choose the actors. Actors take up the assigned roles and act out the story.

The third step: A participant is invited to tell a story and there is a conductor who queries the storyteller for more details. The teller gets to choose the actors and the story is acted out. All participants take turns narrating stories and playing the role of conductor.

Conducting

Conducting is vital to any interactive theater form. In forum theater there is a joker, in traditional Tamil theater there is a buffoon and, likewise, in playback theater there is a conductor. The role of the conductor is to anchor the performance, get the story from the storyteller and provide enough detail for the actors. The conductor does this by asking key questions to the storyteller. Once the story is told, the conductor uses the phrase, "Let's watch," to signal the actors to begin the performance. The actors congregate for a few seconds at one end of the acting arena. Meanwhile, there is a musician who plays an instrument or hums a tune, setting the pace for the actors. Once the music ends, the performance begins. After the story has been acted, the conductor talks to the storyteller in order to conclude the process of the story. In case of very emotional stories, the conductor plays an important role in processing the feelings with the storyteller and the audience.

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Note

1. The name Playback comes from "playing back" or giving back the story to the teller.

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Enter Stage Right

Julie Lake

The four Peace Theater actors huddle together behind the auditorium curtain, reciting tongue twisters to punctuated beats. They are taut and jittery, anticipating the upcoming performance. The troupe facilitator, Susan, leads the other three in a stretching exercise to warm up their bodies for the show. Geoff breaks off from the group, and shakes out his arms and neck, buzzing his lips together to warm up his mouth muscles and vocal chords. In front of the curtain sit the fourth, fifth, and sixth graders from General Middle School in North Philadelphia. The boys and girls are poking each other, whispering and laughing loudly. Some students sit back laconically, looking bored and tired. Mrs. Jones, the fifth grade teacher, gives a final warning to Tyrone; if he does not stop harassing Sheila he will be pulled out of the assembly. Tyrone shrugs defiantly.

Pace Theater, developed by Good Shepherd Mediation Program in 1991, in Philadelphia, Pa., is an interactive theater experience designed to “increase the peace” at summer day camps, local community centers and schools by encouraging children and youth to use communication and problem-solving skills to address interpersonal conflicts as an alternative to physical fighting or arguing.

Principal Spark peeks her head behind the curtain, and asks, “Are you ready to go on?” The troupe is warmed up and ready to perform. Susan nods and Ms. Spark moves in front of the curtain to gather the attention of 100 students.

The four actors enter from the right side of the stage, a flurry of activity. Susan is doing cart wheels across the stage and Geoff is dancing by himself. Malik and Sonny are chanting “Peace Theater, Peace Theater,” with their arms in the air; when Malik’s arm catches Susan’s cart wheel and she falls to the floor. Susan stands up rubbing her elbow, on which she fell, and screams at Malik, “Watch where you are going! Haven’t we practiced this a thousand times?” The students are all silent, and watching to see what happens next. Malik gathers the full force of his six foot frame, arms splayed, and yells, “Maybe it’s you who needs to watch where you are going, Ms. Bossy!” The crowd oohs, and Malik and Susan are standing inches apart,

breathing heavily. Sonny steps in and yells, “FREEZE!” Malik and Susan stop in mid movement. Sonny looks at the audience, and asks, “Raise your hand if you have ever been in a conflict like this.” Several students raise their eager arms, and Sonny continues, “Even though we are here to teach you about how to deal with conflict to prevent fights and arguments, we still have some of our own conflicts.”

Peace Theater encourages the peaceful resolution of conflict by demonstrating to youth that conflict is normal, their response to conflict affects the outcome, and using communication and problem-solving skills can lead to win-win solutions to conflict. The program also introduces peacemaking skills that children will remember and use throughout their lives as an engaging, entertaining, memorable and FUN learning experience.

Sonny steps into the middle of the stage and she says, “UNFREEZE!” The actors begin to move again, and she looks at both of them, “You stand over to my left and you stand to my right.” She inserts herself between the actors. “We are Peace Theater; we are here to show you there are many ways to deal with fights and arguments. We hope that through watching us and helping us, you can see how to get to a win-win outcome.”

The actors introduce themselves to the audience, and then Sonny gets back to the conflict. She asks the audience, “What did you see happen here? Raise your hand and I will call on you.”

William is a fifth grader who often gets into trouble on the playground for fighting because his playing can be too rough. He says, “They weren’t looking where they were going and bumped into each other.”

Next Shamika, a sixth grader, says, “She got hyped when he hit her because she fell on the ground.”

Sonny responds, “Good. Should we ask these two what happened?”

Sonny turns to Malik, “Malik, what happened just now to get you so upset?”

“I was just doing the intro when she came barreling into me with her cart wheel.”

Sonny listens and says, “Okay, so the way you see it is that Susan ran into you?”

“Yes,” answers Malik.

“And Susan, how did you see it?”
 “I was doing my part for the intro, and he came out of nowhere and smacked my arm, making me fall!”
 Sonny says, “Susan, you feel that Malik is responsible for your fall?”
 “Yeah!”
 “What do ya’ll think?” Sonny asks the audience. The audience comes alive,
 “They bumped into each other.”
 “Neither was looking where they were going!”
 “Maybe they should fight it out to see who wins!”

Peace Theater combines improvisational theater and role-playing. A role-play is a simulation of a real-life situation. The players put themselves in the shoes of the characters and react to the characters and the situation presented. Peace Theater uses drama to teach communication and conflict resolution skills. In Peace Theater, the cast develops realistic conflict dramas to role-play on stage. After the scene is set, the facilitator works with the audience to analyze the drama as it develops. Audience members are asked to advise the performers and, often, to come on stage and participate in the role-play. The performers improvise as the audience guides them through various alternative scenarios.

Sonny looks at the audience and asks, “Does someone think they can come up here and show us how to resolve this argument?” Several hands shoot up, and Sonny points to Tyrone, asking, “Would you like to come up to the stage and take the place of one of the actors?” He smiles, and points to Malik. The teacher shakes her head in disbelief. It has been almost impossible to get Tyrone to participate in activities since he came to General and he has never given anyone such a big smile. He also has been the cause of a lot of conflicts in her classroom since his mid-year transfer from a school in Atlanta, Ga. Tyrone saunters up to the stage, Sonny asks his name and introduces him to the cast and audience. Sonny says, “Tag him out and take his place.” Tyrone high fives Malik and stands across from Susan. “When I say unfreeze, you begin to try to solve the conflict and get to a win-win solution. UNFREEZE!”

Tyrone shifts uncomfortably for a moment and Susan starts up, “So why didn’t you watch where you were looking instead of knocking me down?”

Tyrone puffs his chest up and says, “You need to WATCH where YOU are GOING!”

Susan responds, “Were you looking where you were going?”

“No,” says Tyrone, “But neither were you.”

“That’s true,” says Susan.

Tyrone suddenly looks calmer, and says quickly, “We both were not watching where we were going. And we both got bumped. And we are both mad.”

“You’re right, I hadn’t thought of it that way,” Susan says. “I am sorry that you got bumped, Tyrone.”

“I’m sorry, too.” Tyrone says, “We should both be more careful next time and watch.” They shake hands. Tyrone smiles that big smile again and Mrs. Jones smiles back at him.

In teaching conflict resolution and problem solving, role-playing has several benefits:

- Playing the part of a fictional character demands identification with the character’s problems. Exchanging roles gives all of the players a chance to experience both sides of the conflict.
- Role-playing helps develop active listening skills due to the high degree of communication and focus involved.
- Participating vicariously in a conflict provides a non-threatening way for children and youth to explore alternative solutions and receive feedback.

Peace Theater uses conflict drama to teach four steps to resolve a conflict: (1) Stop and Think; (2) Talk and Listen; (3) Share Ideas; and (4) Try One Out! The skits use familiar conflict situations.

Sonny thanks Tyrone, and he goes back to his seat. Then Geoff leads the audience in some theater games to warm them up. The troupe shows more conflict scenarios and gets feedback from the students on how to solve them. The performance ends with the students and actors making a rainstorm with their hands and feet. And Peace Theater leaves with a round of applause from the students. Tyrone grabs Malik’s arms as the troupe leaves the auditorium, “I want to be a Peace Theater actor, too.”

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Indigenous Issues Forums

Ruth Yellowhawk

Indigenous Issues Forums (IIF) is an informal group of facilitators who work to create a safe and respectful space in which to talk about difficult issues. For several years now, we have been using film as a way to build a sense of community and to begin to understand our shared histories. Our hope is that these efforts will allow a sense of wrongs to be righted, particularly among Native people. Often that hope is fulfilled simply by providing an opportunity for neighbors to have a meal together, watch a film and then respectfully talk and listen to one another.

Living in a world obsessed with numbers, instant messaging and technology can create desensitized youth and adults. We find that many folks have shut down or shut out difficult feelings. Our process of talking allows people to embrace their feelings, share their thoughts, and raise questions. We have guidelines for talking and listening, and encourage respect for one another as a primary value.

We have gathered in churches, high schools, homes, tribal colleges, libraries, and at national and local conferences to watch compelling films together and then talk about the themes they raise. We also have incorporated film and forum experiences into restorative justice and anti-racism trainings that we conduct.

We focus our attention primarily on documentary film—working with innovative organizations and producers whose missions often involve creating an informed and educated citizenry. Such institutions are sometimes mandated by national governing agencies that support the idea of access to public media and representation of diverse peoples including indigenous voices and issues. Groups such as Independent Television Service and their outreach arm Community Connections, Point of View on Public Broadcasting Service, Pacific Islanders in Communications, Native American Public Telecommunications and a wide range of independent producers have created documentaries that we feel serve as excellent springboards for dialogue.

Many of the films we have been working with (*Chiefs*, *The Buffalo War*, *The Heart of the Sea*, *Hollow Water*, *Alcatraz is Not an Island*, and *In the Light of Reverence*) allow history to be told by giving voice to those most closely associated with it. Documentary films are

often able to get us to a place of deep feelings. Because documentaries tell real, lived stories; they allow the human story to unfold. We can begin to see how we are connected to the folks on tape. So many of us have been isolated from one another and therefore separated from an understanding of who we are, and who we can be. These films tell us about our heroes, our common struggles and give us a new understanding of our history.

We also find that many creative films such as *Whale Rider*, *Rabbit-Proof Fence*, *Skins*, and *Thorn Grass* serve our mission well. Such films—when followed by respectful dialogue that takes into account diverse points of view—allow us to see ourselves not as consumers helping to churn a vast runaway economy, but as vibrant human beings with values that must be explored to guide us well on our individual and collective journeys.

The following are some general guidelines and questions to consider when using film in your community. They are part of a discussion guide prepared for Independent Television Service by the Indigenous Issues Forums and reprinted with permission.

Guidelines for a Film Discussion:

It is important to ensure the discussion is moderated in a neutral way. Be sure to get a respected facilitator who is able to ensure that all voices are heard. Feel free to use these guidelines as a starting point:

- Moderator serves as a neutral guide.
- Weigh your words before speaking.
- Listen to each other attentively and respectfully.
- Speak from the heart.
- Focus on the topic/question at hand.
- Respect one another in speaking.
- Silence is respected but “courage is encouraged.”
- Consider your ancestors, future relatives, and those not present.

General Film Discussion Questions:

In preparation for leading a discussion, it would be very useful for the moderator to consider the questions below. These questions are great discussion starters to ask before getting into specifics.

- What feelings were evoked in you while watching the film?
- What image(s) and statement(s) have stuck in your memory and why?
- What parts of the film were unclear?
- How do you feel about the characters/people/places in the film?
- How does the film connect with your own life?
- Can you imagine how others might react to this film?
- What issues does this film raise for you? Can you see some common themes in the film?

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Restorative Justice and Organized Crime: A Challenge to Overcome the Culture of Mafia

Marinetta Cannito Hjort

In May 2005, the anti-mafia movement in Palermo, Italy, a group composed of people of heterogeneous backgrounds and different sectors of the Sicilian society (non-profit organizations, civil and religious groups, and the local business community), convened a national conference, “Finding Ways to Overcome the Culture of Mafia.” The conference was the result of many years of reflection, research and dialogue related to the conflict between civil society and mafia in Sicily, and had the objective to collectively explore new strategies and non-violent alternatives to address that conflict. Intrigued by an article on Restorative Justice (RJ) issued in the Italian academic publication *Satyagraha* that I co-authored with Howard Zehr (2003), the organizers of the conference invited me to lead a workshop on RJ.

I felt overwhelmed by the challenge. I wondered whether it was appropriate to expose the theory and practice of RJ as a tool for social change in the context of a protracted conflict such as the mafia conflict. I also wondered whether it was possible for me, as an outsider to the Sicilian context, to offer an alternative to people who had been personally affected by the culture of mafia.

At the same time, I realized that this challenge represented a unique opportunity for the RJ field. For years, RJ scholars and practitioners have been debating the necessity of expanding the vision of RJ beyond the individual victim and offender experiences and needs toward a practice that addresses broader social justice issues and the structural roots of crime.¹ A workshop on RJ in Sicily, I envisioned, would offer an appropriate context to engage people directly affected by the mafia conflict in that debate. They themselves would have the opportunity to explore the potential contributions of RJ to their social conflict.

A Paradigm Shift: A Systemic Approach to Mafia

The Sicilian anti-mafia movement took its first steps with the research of sociologist Vincenzo Sanfilippo (2003),² which became the focal point of reference for all the reflections and discussions of the conference.

The starting point of the group analysis is the understanding of mafia as a social phenomenon. “Mafia is a sum of criminal organizations . . . built on a system of violence and illegality aimed at accumulating wealth and acquiring positions of power” (Santino 1995: 129). The Mafia (also known as *Cosa Nostra*) and other organizations are the historically organized part of a system that derives its cultural code and worldview from the culture of southern Italy and has, in turn, informed many aspects of culture, political action, social and economic processes, while enjoying a considerable degree of social consensus. Operating within a wide relational context, mafia supports the global economic system through political and cultural sub-systems (power exercised over economically deprived territories that undermines social participation and civic education; connections between criminal organizations and the political system; international drug and arms trade; support for local drug trade and small delinquency; access of illegal capital into the world of finance, etc.). Mafia is so rooted in the cultural structure of the Sicilian society, that often neither the Mafiosi nor their victims are able to conceive an alternative way of ordering their world.

A basic assumption underlies this systemic approach: *society is a structure composed of interdependent elements*. Most of the analyses of the mafia phenomenon and their consequent models of intervention have been based on a paradigm that understood human relationships as interacting from two different levels: us (the engaged civil society, intellectuals, politicians, religious leaders, teachers) and them (*Cosa nostra*, the “women in mafia,” the “Mafiosi”). According to the systemic approach embraced by the anti-mafia group instead, mafia is not an isolated and negative element that can be eradicated by repressing the individual Mafiosi, but a diffuse model of relationships among the parties of society. In this view, all individuals and sub-systems involved in the social conflict bear some level of responsibility. “Mafia is not a cancer on a healthy tissue. It lives in perfect symbiosis with the many protectors, accomplices, informers,

debtors, threatened or black-mailed people, belonging to all levels of society . . . The men of honor are neither diabolic, nor schizophrenic . . . If we want to win over mafia in an effective way, we shouldn't transform it into a monster, nor consider it as a cancer. We need to recognize that it resembles us" (Falcone and Padovani 1991:82).³ The point of reference therefore becomes the social system, not the mafia or the individual Mafiosi.

Therefore, the anti-mafia group has called for the adoption of a system lens for intervention, a comprehensive approach that intervenes not only in the historical expressions of mafia (like Cosa Nostra), but also on those areas of contiguity which, as social subsystems, interact and to a certain extent generate and sustain the other parts of the general system, in a constant, dynamic process (Sanfilipo 2003).

The Restorative Justice Paradigm Shift

It is with this objective in mind that the research group within the anti-mafia movement turned its interest to restorative justice. In the RJ paradigm, crime is understood as a social conflict and a symptom of a tear in the web of social relationships based on mutual trust and respect. Harms (material, psychological and moral) caused to a single individual are considered as harms also inflicted to the collectivity, violations of the relationship of trust within a community. To the ineffective practices of the current judicial system revolving around the triad *law-crime-punishment*, RJ proposes alternative applications based on *harms/needs-reparation-participation*. In this systemic perspective, crime represents a failure of responsibility on many levels. The role of justice then is to address the needs of the individual and the community resulting from crime, and the individual and social responsibilities to repair the harm. In the assumption of a socially shared responsibility, the RJ process provides a space for all the people involved in the crime and affected by it (victims, offenders, family members, friends and representatives of the surrounding community) to meet, if they so decide, and be actively involved in all the phases of the process of justice. RJ addresses crime in its dialectical nature, as containing the resources for social transformation and therefore provides a safe space where the conflicting parties can engage in constructive dialogue that humanizes the opponent. Through informal and consensual processes, conflicting parties have the possibility to look for solutions to repair the immediate harm and to remove the

root causes of crime in their context. The goal of the RJ interventions is to (re)create communities of reconciliation and power-balanced relationships (Zehr 1990).

Challenges Posed to Restorative Justice by the Culture of Mafia

During the conference in Sicily, some objections were raised and challenges highlighted to the applicability of RJ to the mafia context.⁴ I will report them here, along with some of my own reflections, as a guideline for future discussions.

- RJ manifests an individualistic approach from a systemic paradigm. Although RJ has elaborated new meanings for the concepts of "crime" and "justice," its elaboration does not take into consideration the complex reality of social conflicts and corporate crimes. In the RJ paradigm, crime is defined as a social conflict bearing social responsibilities, but most of the current RJ practices are implemented on the narrow understanding of crime as a violation of a person by another person. RJ applications remain limited to situations where conflict is visible and the parties are identifiable. Can RJ therefore be proposed in contexts, like the mafia context, where it is not easy to identify the authors of crime and all those involved in the crime, and where there are aspects of crime that elude a monolithic identification? Mafia organizations, in fact, are secret organizations, with ambiguous relationships and alliances with other social actors.

Differently stated, is it in the scope of RJ to challenge the root causes of social crimes?

- While assuming a social responsibility for social crimes, RJ fails to recognize the authors of crimes not only as offenders, but as victims themselves, and to identify the civil society as not completely innocent. According to the RJ paradigm, crime contains in itself the seed for social transformation because it refers to one reality, to fractured relationships in the same structure. It is in that reality and in those conflicting relationships where the remedies need to be sought. In keeping a distinction between victims and offenders, RJ proves to not have fully articulated the envisioned paradigm shift from the language and structures of the criminal justice system based on a dualistic understanding of reality. In the context of mafia, the challenge to RJ is to include in the defi-

dition of victims also those who, though belonging to mafia, decide to distance themselves from its abuses and crimes, but fear for their lives and the lives of their family members; those who remain silent for fear of losing their jobs; those who become indifferent because they feel powerless against the structures of organized crime, and the connivance of the judicial system; and those who support the mafia values because they reflect some aspects of their own identity.

- If the Mafiosi are included in the process of social transformation, if they are given voice in the solutions of problems, isn't there the risk of legitimizing them without breaking the power imbalance, with the consequent re-victimization of the victims of mafia crimes?
 - On the other hand, could RJ processes that allow open dialogues and communications between conflicting parties bring public shame on those people who, in an attempt to distance themselves from the mafia system they belong to, run the risk of being isolated and disempowered?
 - Is the RJ process, which gives considerable space and relevance to dialogue and communication among conflicting parties, appropriate to transform those areas of contiguity with mafia marked by connivance, silence and indifference? Would the RJ process be effective in a context where *omertà* (culture of silence) resulting from intimidation represents one of the peculiar characteristics of the Sicilian culture?
 - The alternative paradigm proposed by RJ is based on some of the values—respect, solidarity, family responsibility—that are at the core of the identity of the Mafiosi and the people sharing their worldview. Would the RJ process be able to draw upon that worldview and provide a safe space where people could identify with and share the deep meanings of those values and the reasons of their actions? Would RJ practitioners be able to facilitate a process where people themselves could build on those values in a way that they could become foundational elements for an alternative culture?
 - With RJ practices that give decisional power to individuals and communities, isn't there the risk of reproducing a system where the government is absent and those at the margins are left to the prevarications of those who hold material and political power, opening the door for future forms of unjust social order?
- Isn't there the risk, in the RJ practices, that the relationship between State and community results in a dichotomy, making it more difficult to make the State accountable in the protection of people from mafia abuses and crimes?
 - What does it mean to talk about reparation in the context of mafia? Isn't there a risk of de-valuing severe traumas suffered by victims in the belief that the individual and social debt with them can be easily repaid and victims can be “guided” in their journey towards trauma recovery by a pre-configured process?
 - Could RJ structures provide a sufficient framework for addressing victims' needs in a context of mafia where the percentage of direct and indirect victims is considerably high? Are RJ practitioners trained to deal with traumas resulting from such a complex social conflict? The *pentiti*, or collaborators, with the judicial system who have to change their name for security purposes, often have had to deal with the psychological harm inflicted to children or minors in their family who have to cope with their new identity and do not understand the reasons behind it.
 - Does the RJ process provide security measures for victims? Does the RJ process envision a community involvement able to create an intermediate locus of protection and human connection for those mafia pentiti who are not considered victims by the larger community? Can RJ involve the community in creating an intermediate locus between family and state, in order to reconstruct individual and group identities?

Conclusion

The questions I have outlined here reflect the complexity of the mafia conflict and point to areas that need further research for those RJ scholars and practitioners willing to broaden the debate on the transforming possibilities of RJ. While I believe that the RJ paradigm, with its principles and values, can represent the foundation for a process of transformation even in a complex culture like the mafia, I also believe that its transformation requires multiple approaches, a “paradigm of complexity” (Santino 1995:212) able to give voice to a series of methodologies and defined as a long-term peacebuilding process.

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Notes

1. See Gerry Johnstone, 2002, *Restorative Justice: Ideas, Values, Debates*, Portland, OR: Willan Publishing; and Bonnie Price Lofton, 2004, "Does Restorative Justice Challenge Systemic Injustices?," *Critical Issues in Restorative Justice*: 381–389. Howard Zehr and Barb Toews, eds., Monsey, NY: Criminal Justice Press.

2. Important contributions were given also by Umberto Santino, 1995, *La Mafia Interpretata. Dilemmi, Stereotipi, Paradigmi*, Rubettino: Soveria Mannelli; and Andrea Cozzo, 2005, "Per un'Uscita Nonviolenta dal Sistema Mafioso. Il Contributo delle Nozioni di Mediazione Penale e di Difesa Popolare Nonviolenta," *Nonviolenza e Mafia: Idee ed Esperienze per un Superamento del Sistema Mafioso*: 107–119. Vincenzo Sanfilippo, ed. Trapani: Di Girolamo.

3. Giovanni Falcone, the judge in charge of the governmental anti-mafia operation, a highly respected figure for his integrity and humanity, was assassinated in a car-bomb attack on May 23, 1992, along with his wife and two members of his escort team. Only 56 days later, on July 19, 1992, his successor, Judge Paolo Borsellino, was assassinated in the same way, along with five members of his escort team.

4. See also the article written by Prof. Andrea Cozzo, 2005, "Per un'Uscita Nonviolenta dal Sistema Mafioso. Il Contributo delle Nozioni di Mediazione Penale e di Difesa Popolare Nonviolenta," *Nonviolenza e Mafia: Idee ed Esperienze per un Superamento del Sistema Mafioso*: 107–119. Vincenzo Sanfilippo, ed. Trapani: Di Girolamo.

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Peacemakers: Stopping Violence and Transforming Conflict

Steve Thomas

Our mission and vision

We address the problems of violence among youth and against women. The U.S. has the highest rates of youth violence, homicide, and suicide in the developed world. Violence among youth ranges from bullying to shootings. Violence against women is worse; as a minimum, one out of four women is sexually or physically assaulted at least once in her lifetime.

In this culture of increasing violence, our mission is to empower people to live in peace by training youth and adults in both verbal and physical skills for preventing violence and transforming conflict. Our vision is to provide diverse services such as training, mentoring and resources for youth and adults at our Peacemakers Academy in Goshen, Ind., and in a variety of contexts.

Our programs and participants

Ranging from short seminars to continuous yearlong training, we provide programs unlike any other in the region. Beyond conventional conflict resolution programs and distinct from typical self-defense programs, Peacemakers equips youth and adults to respond to violence. By integrating violence prevention and conflict transformation, Peacemakers offers a unique approach, whether for kids being picked on at school or for those who are referred to us by schools and courts who have a problem with aggression, or those at risk of gang involvement.

We integrate martial arts, conflict transformation and practical application in our work. The best traditions of martial arts teach respect, peace and nonviolence and offer proven training to increase self-control, reduce violence, and promote peace (Tremlow 1998).

Our instruction includes practical models for transforming conflicts, exercises for collaboration and problem solving, physical skills with practical and metaphorical value, role plays to apply concepts and skills, and stories to illustrate how all this works in real life.

Instruction includes teaching on violence, conflict, communication, and problem solving. Kinesthetic

exercises, peer sharing and problem solving are incorporated so that participants learn from each other how to deal with inner struggles, interpersonal conflicts and threatening situations. Working together in role-plays, people gain confidence and skills for transforming interpersonal conflicts.

Training in martial arts

Peacemakers uses modified martial arts in its training. Based on common misconceptions of martial arts, some people may ask, “Aren’t you teaching something violent to prevent violence?”

Martial arts are not what they seem.¹ They are commonly misconceived as promoting violent aggression due to portrayals in Hollywood action films and those who misuse martial arts. Contrary to popular misconceptions, those who are aggressive, take the offensive or use excessive force fail to uphold the way of martial arts. As Sensei Funakoshi, the founder of modern karate, stated, “the essence of karate is nonviolence.” In keeping with their origins of religious monks protecting themselves and others, most traditions of martial arts have as their essence nonviolence, empowering people with a philosophy of peace, and a system for counteracting violence. More than merely restraining violence, martial arts offer a proven way to reduce aggression, increase self-control, and form respect for others.² The only “fighting” that martial arts encourages is conquering the enemies within us—our fear, anger and inner conflicts.

As a system of defense, martial arts can be understood in light of our physiological reaction to threat. When we are threatened with harm, our instinctive reaction for self-defense is fight or flight. In situations where our fear or anger is sufficiently aroused, the forebrain of higher cognitive functioning shuts down and the aggressive instincts of the midbrain take over, prompting irrational fight and flight reactions that escalate the vicious cycle of violence (Benson and Stuart 1993; Mattson 2003).³

Counteracting this destructive cycle, martial arts helps us learn to face threat with awareness, courage,

and self-control. Confidence gained in this circumvents the primitive fight or flight mechanism, thereby enabling us to respond more constructively to transform hostile aggression that feeds on fear. Learning skills to transform problems also forms a sense of mastery, increases self-esteem and raises one's adversity quotient, which are essential elements to personal development (Stoltz 1997).

Only in this confident moment can we then employ nonviolent methods to stop violence before it starts (Webster-Doyle 1999 and 2000). In other words, because we cannot think clearly when our fists are clenched, martial arts teach us to calm down, gain control, and open our hands so we can use our heads in response to threat. The non-anxious presence from one's courage and self-confidence alone often has a disarming effect on hostility.

Our view of physical defense

What can people who are committed to nonviolence do when threatened with physical harm?⁴ People often think that there are just two responses: violent aggression or passive submission. But we believe that there is a third way—that of assertive engagement that seeks to stop violence, avoid permanent harm to both the aggressor and victim, and transform the threatening conflict.

In keeping with our Christian ethic of nonviolence and our martial arts code of conduct, we seek to respect even those who mean to harm us. This requires us to

avoid physical engagement and use verbal defense as much as possible. If physical defense is necessary as a last resort, we teach protective (rather than punitive) force that respects the attacker's ultimate wellbeing as well as our own. We teach nonlethal techniques that can hurt or immobilize an attacker, but this is weighed against the greater harm of a completed assault. How does a bruised testicle or a broken rib, which will heal, compare to a completed rape or murder and the consequences of this action for not only the victim but also the assailant? We judge an action based on our intention, the effect on the other and the overall outcome.

Our martial arts' code of conduct requires that we "Avoid rather than block; block rather than hurt; hurt rather than maim (immobilize); maim rather than kill, for all forms of life are precious, nor can any be replaced." In aikido, the model martial art that John Howard Yoder commended, the rule is to use minimum effective force to stop an attack, avoid harm to both the aggressor and victim, and control the situation. Once this is done, the goal is to restore peace with the attacker. So while physical force may be used, the aim is to immobilize violent aggression in such a way as to avoid or minimize harm to the aggressor as well as the victim in order that they may be in a position to transform the conflict.

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Peacemakers Pledge

As a Peacemaker seeking to prevent violence and transform conflict, I pledge to:

- Have esteem for myself and respect for others.
- Set my heart to courage and my mind to wisdom.
- Be responsible for my emotions and actions.
- Act with honor, compassion, and self-control.
- Use my head rather than my hands in conflict.
- Seek to do no harm to others or myself, and
- Resolve problems in positive ways for peace.

Notes

1. Originally, religious monks (not military warriors) developed martial arts as a training system for defense against violence, discipline of mind and body, and philosophical instruction. Aikido is a prime example of recovering this original purpose of training in the art of peace rather than violence and war. As we employ martial arts in Peacemakers, we espouse their original intent as exemplified in aikido, which we often refer to in our instruction.

2. For more information on nonviolence and how it relates to the martial arts, see Thomas Crum, 1988, *The Magic of Conflict: Turning a Life of Work into a Work of Art*, New York: Touchstone; Gerald S. Diment, 1993 (March), "Training for Nonviolence" in *Martial Arts Training*, p.68-69; Terry Dobson and Victor Miller, 1993, *Aikido in Everyday Life: Giving In to Get Your Way*, Berkeley, CA: North Atlantic Books; Peter Payne, 1981, *Martial Arts: The Spiritual Dimension*, London: Thames and Hudson; Scott Shaw, 1998, *The Warrior is Silent: Martial Arts and the Spiritual Path*, Rochester, VT: Inner Traditions; Richard Strozzi-Heckler, 2007, *In Search of the Warrior Spirit: Teaching Awareness Discipline to Green Berets*, Berkeley, CA: Blue Snake Books; Morihei Ueshiba, 1992, *The Art of Peace*, translated by John Stevens, Boston: Shambhala Publications; Terrance Webster-Doyle, 2000, *One Encounter, Once Chance: The Essence of the Art of Karate*, Trumble, CT:

Weatherhill; and Adele Westbrook and Oscar Ratti, 1999, *Aikido and the Dynamic Sphere*, Boston: Charles Tuttle. For clinical evidence on this claim, see Stuart Twemlow, M.D., 1998, "The Application of Traditional Martial Arts Practice and Theory to the Treatment of Violent Adolescents" in *Adolescence* 33 (131):505ff., and "Conflict Resolution/Aikido Program Plan" by Christine Steerman, Ph.D. On integrating aikido as a kinesthetic pathway for learning responses to conflict, see the work of Donald Levine, Ph.D. at the University of Chicago. For a case advocating martial arts as a positive means and discipline for mastering male energy, see Robert Moore and Douglas Gillette, 1992, *The Warrior Within: Accessing the Knight in the Male Psyche*, New York: William Morrow & Col, p.198-201, 211. For the social claim that martial arts contributed to forming a culture of nonviolence in Japan, see historian Bruce Haines, 1995, *Karate's History and Traditions*, Rutland, VT and Tokyo: Charles Tuttle, p. 168, 172.

3. For more information, see Lt. Col. David Grossman, 1996, *On Killing*; and 1998 (August 10), "Trained to Kill" in *Christianity Today*.

4. For more answers to this question, see Duane Friesen, 1986, *Christian Peacemaking and International Conflict: A Realist Pacifist Perspective*, Scottsdale, PA: Herald Press; Walter Wink, 1992, *Engaging the Powers: Discernment and Resistance in a World of Domination*, Minneapolis, MN: Augsburg Fortress; and John Howard Yoder, 1983, *What Would You Do?*, Scottsdale, PA: Herald Press.

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Tongue Fu

Steve Thomas

In verbal attacks, our instinctive reactions are to strike back in anger with a tongue-lashing or be tongue-tied in fear. Rather than being aggressive or submissive, be assertive with Tongue Fu. Based on the goal in martial arts to REDIRECT aggression and make peace, the way of Tongue Fu is to . . .

Respect the other. Based on a reverence for all people, respect is the heart of martial arts. Seeking peace with all people, martial arts call us to respect even those who try to harm us. To disrespect, shame or put down a person provokes hostility. But respect disarms aggression; for respect expresses the power of love, a spiritual force that can transform enemies into friends.

Express agreement. Soft martial arts seek to harmonize, join or blend with rather than oppose an attack. Meeting force with force results in harm. Rather than countering attacks with hard words, harmonize with the other person by finding common ground and agreement. Do not resist, but flow with the attack. Once you sufficiently have harmonized with the other, deal with points of disagreement.

Defuse hostility. Martial arts seek to disarm rather than to provoke aggression. Reacting with insults, sarcasm or threats escalates aggression. But empathy, humor and affirmation defuse hostility. Empathy identifies with the other's feelings. Appropriate humor (not sarcastic or humiliating) transforms stress. And affirmation encourages the other with positive regard.

Inquire with questions. Martial artists use distractions to draw attention away from a line of attack. In the same way with Tongue Fu, ask respectful questions to draw a person's attention away from his or her verbal attack. Use questions to engage the other's mind. By using questions, call the person to respond to reason rather than react with emotion.

Refocus on the problem. Martial arts aim to neutralize aggression, not the aggressor. In most attacks the focus often becomes personal, provoking more defensiveness. To shift the attack, refocus on the real issue. To do this, ask the other, "What's the problem?" Ask what she or he sees, thinks and feels. Once the underlying issue is identified, then "attack" the problem, not the person.

Explore solutions. To restore harmony, martial artists seek balance with the other. There is no peace if one comes out on top and the other loses face. Attack the problem by exploring solutions for a win/win outcome. To do this, ask the other what she or he needs to have happen. State what you need to have happen. And then ask how you both can get what you need.

Convey "I" statements. Seeking to de-escalate aggression, martial arts take a defensive stance. Offensive reactions escalate aggression. Because pointed "you" statements are often perceived as offensive and provoke resistance, use defensive "I" statements to assert yourself. Use phrases like *I need . . . I want . . . I don't want . . . I don't like . . . I will . . . I won't . . .*

Talk with confidence. Martial artists take a confident stance to disarm aggression. Reacting with fear or anger fuels agitation. In a nonthreatening manner, talk with confidence to radiate a calm, friendly strength. Let the positive energy from this elicit a positive response from the other person.

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Jazz: a Resource for Building Peace

David Evans

When I first got hooked on jazz I was very young, in late grade school. I grew up in Missouri and Kansas in an almost totally white environment. As I listened to jazz, I found out more about the people who created it: Louis Armstrong, Charlie Parker and Oscar Peterson. They were black people, and were members of a race that was not honored in my environment. Yet they produced wonderful music. They were my heroes!

It was deeply troubling to me when I realized how harshly black people had been treated by my race, and how much conflict my race had caused. That realization started me on a journey. I began puzzling about the differences between people, how we judge other people and the assumptions we have about them. I began to look at the nature of conflict and the things we can do to transform it.

When people are in conflict they often become very rigid. They get tightly focused on one particular viewpoint or outcome, and completely lose sight of any other option. If you are a friend or mediator trying to help them move through their conflict, it can be very frustrating. Rigidity is a tough adversary.

We need to be able to *re-frame* the situation and look at it from a different perspective. This is where jazz can help out, because re-framing is what jazz is all about.

Here's how it works. Suppose there is a combo with a trumpet, tenor sax, guitar, vibraphone, piano, bass and drums. And suppose they are playing "Satin Doll," the great Duke Ellington song. The group begins by playing the melody and accompaniment in a very straightforward way. And then, in some agreed-upon sequence, they all take solos and improvise on the melody.

The trumpet player improvises first, and plays her solo in a bright, punchy, staccato way, teasing the rhythm, and making the notes kick up their heels and dance. Then the tenor sax follows, with a very different approach, playing a warm, sensuous, bluesy kind of solo, with the notes oozing from the horn like molasses. Perhaps the guitarist emphasizes the fun, "swing" feeling of the song, and whistles along with his guitar solo. And the piano player might start his "Satin Doll" improvisation like a fugue and then end up with rich, dense and modernistic chord clusters.

When the jazz combo plays the song, they change it, refract it, de-construct it, re-configure it and re-imagine it. They *re-frame* it.

In my own work in conflict resolution and peace making, I draw frequently on this re-framing technique. I have also used it to re-frame conflicts I experience in my own personal life.

When I got married, I was very blessed with my mother-in-law, Ethel. She was affirming and supportive. She never meddled in my wife's and my affairs and she never criticized me.

And yet, in spite of all her wonderful traits, she had another trait that drove me to absolute distraction. That trait was talking a great deal of the time about seemingly very minor and unimportant things. No detail was too small to escape Ethel's notice and her comment. She was truly a person who focused so much on the individual trees (and their bark and leaves!) that she seemed totally oblivious to the fact that they were all collected together in a forest. While I felt extremely fortunate to have her as my mother-in-law, her constant talking about minutiae created a huge amount of stress and internal conflict for me. I had no idea what to do about it.

One day I had a major epiphany. I realized exactly why her talking was so stressful for me. When it comes to conversation, I am very point oriented. Whenever I am talking, I will tell a story or make some kind of logical case in order to make a point. Then I move on to make the next point. And I unconsciously expect others to do the same. But Ethel never did and I kept building up more and more tension, until I was about to go bananas.

It was great to finally understand why I was feeling such tremendous stress with Ethel. On the other hand, it didn't really solve anything. I was still having as much stress as I was before because Ethel was still doing it.

Then, some time later, the *real* epiphany came. One day I got to thinking about some of the great English novels I love, like the ones by Dickens and Jane Austen. I was musing over some of the wonderful, eccentric characters that populate these stories; characters who are funny and loveable in their eccentricities. Then the epiphany hit me like a tornado. All I needed to do was to re-frame my view of Ethel and think of her

as one of those wonderful characters! Instead of being someone who drove me to distraction, she was now a funny, eccentric character from a favorite novel. Once re-framed in this way, all my feelings of stress toward Ethel completely vanished and never returned.

In addition to re-framing, jazz can give us another gift: the gift of modeling how to maintain a good balance between the individual and the group. When there are conflicts in organizations, such as businesses, schools, churches, or non-profits, they often come about because the balance between the individual and the group is distorted. An individual or a small clique in an organization may usurp power and build a side empire that seriously weakens and demoralizes the group. Or some other kind of business or organization may have a very “top down” management style that is repressive to the individual. In both of these common situations, the individual/group balance is seriously out of whack.

The classic jazz band provides an excellent model here. Jazz bands are really quite unique in American society. They strongly emphasize both the individual and the group, yet neither at the expense of the other. Our hypothetical jazz group above, playing “Satin

Doll,” is a good example. It is a strong group, but it also allows great expression for the individuals in it. Each supports the other. They both exist in a dynamic equilibrium.

This kind of organizational balance needs not remain the exclusive province of jazz. The model that exists in jazz can be endlessly replicated in a wide variety of different contexts. It is a framework that allows for great expression by the individual. And, as the individual’s voice is expressed, it helps build the strength of the organization. The main advantage is that a good balance between the individual and the group minimizes conflict and helps promote a peaceful and synergistic environment.

The journey I began as an early teenager has continued for several decades. The music of jazz is wonderful; it inspires and delights me. Jazz has also taught me to be open to reconstructing and re-framing life. It continually reminds me of the delicate balance between the individual and the community. Jazz has given me wonderful tools for peacemaking, both in my personal life and in my work as a mediator.

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Creating Safe Space for Dialogue on Political Issues

MCC U.S. Washington Office

1. Welcome, introductions and prayer (10 minutes).
 2. Guidelines and goals (10 minutes).
 - Commitments made by all participants:
 - a. to express my views honestly.
 - b. to seek to understand the views of others.
 - c. to avoid judging or interrupting others.
 - d. additional guidelines that will help make this a “safe space” for conversation.
 - Goals for the process:
 - a. to better hear and understand one another’s perspectives.
 - b. to encourage honest dialogue and understanding among those involved.
 - c. to discover common ground and a more complete view of truth.
 - d. to search for ways to work together to promote the church’s witness.
 3. Spectrum exercise—optional (5 minutes).

Outline the two poles of the issue to be discussed and ask participants to place themselves along that spectrum. For example, if discussing welfare reform, the two pole positions might be: “I see a substantial governmental role in providing a safety net” and “I see a very limited governmental role.”
5. What are your beliefs about this issue? What do you want to see happen and why? How does your faith and biblical understanding undergird your views?
 6. Identify any uncertainties, dilemmas, ambiguities and value conflicts that you struggle with in your general approach/viewpoint on this issue.
 7. What do you want the “other side” (those with a different perspective) to know and believe about you?

Questions 8–12 (45 minutes):

Bring the whole group back together. After a brief time of reporting, continue with the next steps.

8. What are the values/interests that lie behind each participant’s position?
9. What values/interests do we share in common?
10. Given the common values/interests, are there policy principles that we can work on and promote together? Brainstorm.
11. Next steps.
12. Debriefing: How did you experience this exercise? What was most helpful? What could be improved?

Questions 4–7 (45 minutes):

At this point, if there are more than 8–10 participants, divide into two groups with each group having persons from across the spectrum as outlined above. If all participants are at one end of the spectrum, some may need to “role play” a different perspective. Allow time for questions of clarification and understanding.

4. Give a brief personal history regarding the issue being discussed. How did you become interested in this issue? What has been your involvement with the issue?

The Washington Office offers these guidelines, adapted from Mennonite Conciliation Service, for safe space dialogue in congregations or small groups. In their discussions about welfare reform and Israel/Palestine, Washington Community Fellowship, a Mennonite church in Washington, D.C., learned that a good process and skillful facilitator are key to creating safe space.

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Resources for Further Study on Peacework and Beyond

compiled by Kristin Reimer

Breton, Denise, and Stephen Lehman. *The Mystic Heart of Justice: Restoring Wholeness in a Broken World*. West Chester, PA: Chrysalis Books, 2001.

A look at the philosophical and spiritual underpinnings of restorative justice.

Cooperrider, David L., and Diana Whitney. *Appreciative Inquiry: A Positive Revolution of Change*. San Francisco: Berrett-Koehler Communications, 2005.

An explorative introductory guide to Appreciative Inquiry.

LeBaron, Michelle. *Bridging Troubled Waters: Conflict Resolution from the Heart*. San Francisco: Jossey-Bass, 2002.

Moving beyond the analytic and the intellectual, this book situates our efforts at bridging conflict in the places where conflict is born—relationships.

Rosenberg, Marshall B. *Nonviolent Communication: A Language of Compassion*. Encinitas, CA: Puddledancer Press, 2000.

This book introduces the concept of Nonviolent Communication that helps us connect both to ourselves and to each other with compassion and understanding.

Sampson, Cynthia, Mohammed Abu-Nimer, Claudia Liebler, and Diana Whitney, eds. *Positive Approaches to Peacebuilding: A Resource for Innovators*. New York: Pact Publications, 2003.

An invitation to peace-builders to use positive approaches to deal with conflict.

Sine, Christine. *Sacred Rhythms: Finding a Peaceful Pace in a Hectic World*. Grand Rapids, MI: Baker Books, 2003.

An exploration of how Christians can constructively reshape and transform their lives by building upon the everyday rhythms that God has established.

Sternberg, Patricia. *Theatre for Conflict Resolution: In the Classroom and Beyond*. Toronto: Pearson Education Canada, 2003.

Playmaking activities and theatre games designed to teach communication and conflict resolution skills.

Ueshiba, Morihei, with John Stevens (trans.) *The Art of Peace*. Boston: Shambhala, 2005.

Application of aikido principles to conflict and everyday life challenges.

Yoder, Carolyn. *The Little Book of Trauma Healing*. Intercourse, PA: Good Books, 2005.

This book addresses communities caught in cycles of victimhood and/or violence.

Zehr, Howard. *The Little Book of Contemplative Photography*. Intercourse, PA: Good Books, 2005.

This book joins photography with thinking and seeing more deeply, and with working for justice.

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