



Editorial

Michael Lang

The International Conference held at Maynooth University in September, 2014, *Creative Responses to Conflict through Mediation and Restorative Practice*, brought together a diverse and outstanding gathering of scholars, practitioners and researchers who offered papers and workshops that represent the breadth and scope of the field of conflict intervention. The presenters described applications of techniques and strategies that reflect the field's vitality, resourcefulness and imagination.

In the winter issue of this Journal, the editors presented articles solicited from conference presenters, and in this second special issue, we present an additional seven pieces from authors, who presented workshops and papers.

The articles in this Special Issue illustrate the extraordinary breadth of conflict intervention approaches, the remarkable ingenuity in their application, and the profound impact on the disputing parties. In the four decades in which I have been a practicing mediator, I have witnessed the development of a profession, its increasingly wide-ranging applications, and general acceptance of the need for and benefit from non-violent and non-adversarial conflict intervention approaches. Historically, the interposition of a third dispute resolver acceptable to the parties—whether mediator or arbitrator—was primarily associated with labor-management conflicts, international and other civil conflicts, and family disputes (most particularly divorce).

Now, in addition to these conflict management applications that remain a vibrant and essential part of the field of conflict intervention, we see the growing use of mediation in a broad array of conflict situations. Mediation (and its variants such as early neutral evaluation and med-arb) is commonly used in resolving civil litigation matters. Parties with contract disputes and other business problems engage mediators to help them resolve conflicts that previously had been litigated. Parties dealing with injuries sustained in the workplace, or involved in a motor vehicle accident, or otherwise harmed as a result of some negligent act, are relying on mediation to find suitable solutions. The list of settings, situations and arenas in which conflict intervention approaches are now commonly used is limited only by the collective imagination and inventiveness of practitioners and scholars.

Among the countless applications to have emerged in the past 40 years are:

- neighborhood and community disputes
 - siting and other environmental conflicts
 - criminal matters (through restorative justice programmes)
 - small claims and landlord-tenant disputes
 - probate, elder care, parent-child, dependency and other family conflicts organizational disputes within
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- groups such as religious congregations, social welfare organizations and business enterprises
- construction-related conflicts
- bullying and other school-based disputes (often through peer mediation programmes)
- workplace conflicts (not associated with labor-management contracts)

The seven articles in this issue of the Journal reflect this evolution in the profession. They depict innovative, creative and enthusiastic applications of conflict intervention approaches. They describe the constructive effect of these approaches on disputing parties.

The articles in this issue can be categorized and divided into four areas:

- Utilization of conflict theory and conflict intervention strategies in civil wars and international conflicts.
- Systemic interventions in schools and workplace settings.
- Education and training of conflict managers.
- Practice skills.

Utilization of conflict theory and conflict intervention strategies in civil wars and international conflicts.

Throughout the world insurgent groups are engaged in lethal conflict against the governing institutions and sometimes against other rebel forces causing the deaths of innocent citizens, threatening political and economic stability, forcing massive evacuations and the relocation of non-combatants into refugee camps and other safe havens, destroying homes, businesses, infrastructure and ancient religious artefacts. There have been notable, though so far unsuccessful, efforts to mediate these conflicts or otherwise bring a halt to (or even temporary cessation of) the violence, and the horrors of war continue unabated. The stalemate will continue until one faction vanquishes another—an outcome that seems unattainable, even after years of strife. As described by two articles in this issue, hostilities can be ended if the parties are motivated to seek political solutions.

According to **Geoffrey Corry and Pat Hynes**, there must be sufficient political oxygen to sustain a determined, patient and eventually successful effort to bring about a peaceful resolution to such conflicts. In their article, *Creating Political Oxygen to Break the Cycle of Violence 1981 – 1994: Lessons from the Northern Ireland Peace Process*, the authors describe the back-channel efforts of third-parties that helped build the parties' willingness to listen to and understand one another that helped create a context for peace negotiations. **Rob Kevlihan** also considers the conflict in Northern Ireland as well as civil conflicts in Sudan and Tajikistan in his article, *Structural Conditions for Conflict Mediation in Civil Wars: The Role of Aid and Social Service Provision*. The author assesses the role of third parties and the impact of providing social services in helping to create structural conditions that favoured the peace-making process. Both articles provide a thoughtful analysis of and insight into the intervention by third party actions that motivate, support and encourage parties to abandon armed conflict and turn toward peace-making.



Systemic interventions in schools and workplace settings

Within institutions certain types of conflicts arise repeatedly out of recurring patterns of interaction required by their roles within the institution. For example, communication between teachers and students follows certain expected patterns. Even accounting for variations based on educational philosophy, age of the students and the teacher's personality, the objectives of their interactions are well-established and the nature of those exchanges as a consequence takes on a predictable and recurring pattern. And because conflicts may arise out of these predictable interactions, each institution develops—either purposefully or by gradual adaptation—a system or pattern of responses. And, within that system there are commonly accepted methods of addressing conflicts, whether between student and teacher or between students. A similar pattern exists in workplace settings where repetitive conflicts results in predictable responses.

In this issue we present three articles that examine the recurring nature of conflict situations and the systemic responses utilized within an institution. Two of the articles look at school-based conflict situations, and describe efforts to shift the entrenched ways in which conflict is viewed and addressed. Another article considers a systemic intervention in two business organizations.

Margaret McGarrigle and Paddy O'Connor describe their work with administrators, teachers and students to shift from a punitive mind-set to one based on restorative principles. In *Restorative Practice in Education—Transformative Potential*, the authors present the results of their intervention which demonstrate how utilizing a restorative approach to deal with conflicts that had previously been handled through discipline and punishment, clearly reduced the number of infractions and other disruptive incidents within the school. **Fiona McAuslan**, in *Performance based Conflict Resolution Training for Children*, describes a programme for addressing conflicts that also begins with a shift in mind-set. With the SALT Programme: Creative Solutions to Conflict, students, teachers and parents learn new approaches to conflict situations. The programme teaches participants about conflict and how it escalates. And, they learn a set of practical and easy to apply tools to resolve disputes that arise in the school.

The workplace is a fertile ground for conflict—which may be interpersonal disputes or differences related to institutional goals, objectives and methods. **Treasa Kenny** describes interventions in two organizations using a unique strategy, meta-mediation. In *Co-creating Positive Working Environments: a Meta Mediation Perspective*, we learn about the intervention process from its theoretical underpinnings to the implementation of meta-mediation. Using this approach, managers and employees in these organizations were able to co-create a more positive work environment, find more constructive ways to deal with differences; and through these methods they improved good will and performance.

Education and training of conflict managers

Training and educating mediators has become more sophisticated and nuanced over these decades. Once commonly accepted as the requirement for becoming a practicing mediator, an introductory 40-hour mediation course is now viewed as an inadequate and insufficient preparation for



becoming a competent practitioner. Mentoring requirements now supplement the basic training course. Professional organizations have established training standards and created certification regimes in an effort to promote excellence in practice and to enhance the reputation of practitioners. Further, beginning in 1980's, we have seen the emergence of university programmes in conflict analysis and resolution, including the courses and degree programmes at Maynooth University.

A staple of almost every mediation and conflict intervention training course, workshop and university programme is the often dreaded, and ultimately appreciated role play exercise. These experiential activities are ubiquitous, and seem to have taken on revered status; as though this instructional method was, like an initiation or rite of passage, essential to becoming a conflict management practitioner. **Sabine Walsh** challenges this notion in her article, *Beyond the Role-Play – Rethinking Mediator Education*. While acknowledging both the educational benefits from and the practical challenges of experiential exercises, she argues for a re-examination of the role play as the singular method for developing and refining practice skills. She presents a variety of alternate methods to instill and sharpen the techniques and strategies required of competent practitioners.

Practice skills

Among the intervention techniques most often included in training courses for mediation and conflict management practitioners is reframing. Often misunderstood, and even more frequently misapplied, this tool can disrupt rigid and self-reinforcing thoughts. Used artfully and in a timely manner, reframing can shift the parties' perception of one another, shift the parties understanding of the conflict, and encourage creative problem-solving. **Brendan Schutte** begins his article, *Remarkable Reframing*, by describing framing—a familiar and common process by which we attempt to define and make sense of a situation, story or set of circumstances. What is a normal and generally helpful process of giving meaning and structure to events becomes troublesome and counterproductive when the frame is inflexible and unresponsive—a shift often brought about by intense conflict. Reframing introduces possible new perspectives, potentially altering the meaning ascribed by the parties, shifting the mind-set, and creating an environment in which the parties can create a new, common frame. When this shift occurs, the parties become focused on finding solutions to a shared problem.

Individually, the articles are exceptional; they are edifying and inspiring. They show the power and potential of conflict intervention. Collectively, they reflect the multifaceted nature of the field of conflict intervention. I urge you to read, reflect, and learn.



Michael Lang: Editor-in-Chief of *Mediation Quarterly* from 1995-2001, and a member of its editorial board from 1988-2007. He has authored numerous articles on mediation practice and is co-author of the book *The Making of a Mediator: Developing Artistry in Practice*. In academic positions, Michael was Director of the Master of Arts Program in Conflict Resolution at Antioch University and was Professor in the Master of Science in Dispute Resolution Program at Royal Roads University. He is a practicing mediator and has delivered mediation training courses throughout the U.S., Canada and internationally.