

An introduction to conflict transformation

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5 interdependent key-elements in conflict

- Differences
- Dependence
- Needs and interests
- Power
- Tension and feelings

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Conflict

"When people who are **dependent** of each other experience **differences** between them as not unital and threatening to their own **needs and interests**, one may speak of conflict if it creates **tension and feelings** because one of the parties experiences that the other is using **power** to manipulate the situation in his own favor. "

Tor - Johan Ekeland

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Conflict regimes

- **Criminal justice**
 - Punishment is given
 - Parties treated as opponents
 - Represented by advocates
 - Supposed that victim wants punishment
 - Supposed that this gives restoration to victim
 - Victims needs no issue
 - Judges determine the best for victim and perpetrator
- **Restorative justice**
 - Actors accept responsibility
 - May be agreement upon the harm done
 - Cooperation/confrontation between actors
 - This increases possibility for reconciliation
 - Repair the harm done: remorse, restoration, restitution, reconciliation
 - No punishment but support

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Ida Hydle

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Restorative justice - Ideology

- Parties own the conflict → participation
- Empowerment – individual, community
- Alternative TO punishment
- Dialogue
- Cooperation
- Reconciliation

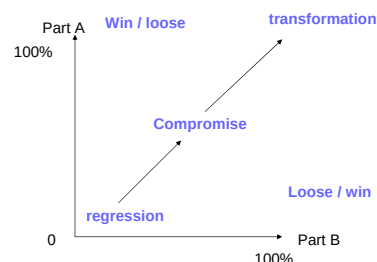
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Restorative justice - Outcome

Johan Galtung

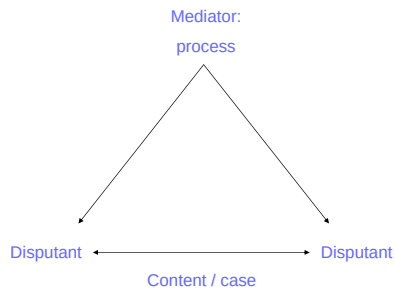


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3. Part intervention



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Settings

- Two parties
- Network mediation
- Conferencing
- Scenarios
- Civil cases
- Criminal cases, alternative justice
- Criminal cases, mediation in court
- Society conflicts
- Political conflicts

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Mediators role

- Process leader
 - Keeping the structure
 - Asking questions
 - Summarizing
 - Sometimes "teaching"
- Impartial (neutral..??)
- Secure equality between parties
- No judge
- No therapist

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Disputants role

- Owner of their own conflict
- Speaking for themselves
- Responsible for the solution
- Voluntary

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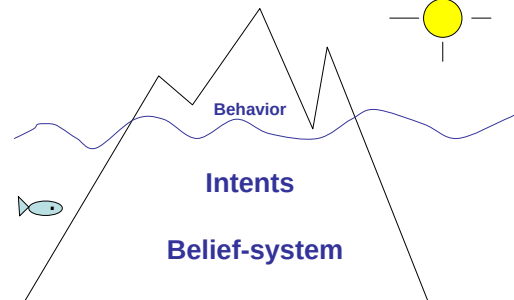
Items in mediation

- Case – and case interpretations
- Feelings
- Relation
- Intents
- Interests and needs
- Past – present – future
- Process and agreement

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The iceberg of the human mind and behavior



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How to do it? Method or meta-understanding

- Many methods
 - Transformative
 - Narrative
 - Humanistic
 - Negotiation
 - Cognitive Systemic
 -
 -

How to choose?

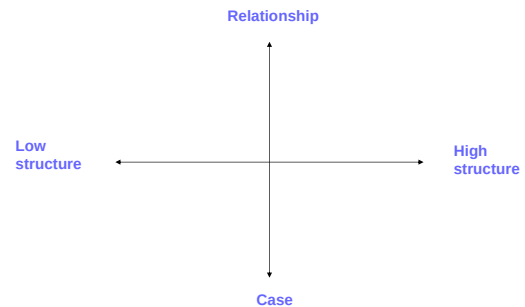
- Personal matter: tradition, personality, belief
- Most important: trust in the mediator by the disputants (Lewer,...)

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Metamodel for mediation strategies

Tor-Johan Ekeland



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Attribution

- Perception: giving meaning to any event and behavior
 - Situation/person
 - Unstable/stable
 - Uncontrollable/controllable
- Making a hypothesis
- Next attribution: strengthen the hypothesis

Both parties and mediators are doing this!

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mediation process

- Introduction
- What happened? – storytelling
- How did you experience this?
- Do you have suggestions for a solution?
- Agreement

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Communication

- Nonviolent communication - respect
- Open questions
- Not moralizing
- Clarify and concretize the agreement
- Body language!!

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Mediators qualifications

- Active listener
- Empathy
- Patience
- Persistence
- Able to be silent
- Calm
- Comfortable with emotions being expressed
- Creative
- Positive
- Able to analyze and clarify the problem
- Able to use authority if necessary

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Mediation

"In simplicity, mediation is the ability to form significant interpersonal relationships with the parties in conflict in an evenhanded manner"

Nick Lewer

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Case 1

Rehabilitation hospital X promotes its vision to include the patients family members as an important part of the rehabilitation process

- Part A: therapist treating a patient with CVA. The patients partner has been following the training several times. Now, the therapist has denied the partner further participation because this person is disturbing the treatment.
- Part B: the patients partner is in a harness about this and demands to be allowed in.
- Mediator: the leader of the team treating CVA patients. Part B has taken contact with the leader to complain about the situation. The leader has been talking to the therapist too, and both parts are willing to meet each other, together with the leader as a mediator.

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Case 2

Medical hospital Y is having big challenges to keep the budgets that are provided by the government.

- Part A: Clinic manager at a medical hospital. He/she is changing routines in the clinic. Patients will only be allowed short stays, and criteria for kind of treatment the patients receive are sharpened.
- Part B: Medical doctor in the clinic. Disagreeing with the manager about the changes being carried through. He/she has taken contact with the newspaper about the case to put pressure on the manager.
- Part A and B have had a quite sneaky discussion after the publication. As a result of this, they have not been talking to each other unless absolutely necessary.
- Mediator: Human Resource manager at the hospital

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Case 3

- Think of a conflict you have experienced yourself, or one you know about.
- Explain in short terms to your group and choose roles
- Mediate!

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Guide for reflection and feedback

- Mediator and parties: what were your mood, your feelings, reactions, under the mediation? Attribution?
- Which strategies did the mediator choose in different phases of the process? (Structure, cases, relationship). How did this work out?
- The iceberg: what was in focus? Beliefs, intents, behavior? How did this work out?
- What kind of communication and body language did you observe between the parties, and between the mediator and the parties? How did this work out?
- Feedback to the mediator: I heard/saw – I thought/felt – I liked/suggest...

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