BEYOND NEUTRALITY

Confronting the Crisis in Conflict Resolution

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Conflict Resolution: A Field in Crisis

Conflict resolution as a field is facing a serious crisis, and the way in which this crisis is approached will determine the future shape of the field—indeed, its very existence. The root of the crisis lies in the failure of the field to engage in its purpose seriously. That is, the conflict resolution field has too often failed to address conflict in a profound or powerful way. As a result, the public has not genuinely embraced the field. We are at a point where we can either face the nature of this crisis and grow as a result, or we can fail to adapt and, in that case, very likely cease to exist as an independent field of practice.

As is usually the case with crises, we face a significant opportunity as well as a major challenge. We can realize that opportunity if we are willing to grow beyond our dependence, indeed, our fixation, on neutrality as a defining characteristic of what we do and if we can see our role in conflict as far broader than that of dispute resolvers. Our challenge is to change our focus from conflict resolution to constructive conflict engagement and, accordingly, change our view of ourselves from neutral conflict resolvers to conflict engagement specialists. If we do this, we can become a more powerful and accepted force for changing the way conflict is conducted.

This does not mean abandoning old roles; rather, it means building on them and dramatically expanding what we offer to people in conflict. To achieve this transformation, we first have to face the
nature of the crisis clearly and courageously, and then we have to open up our thinking about how we can broaden and deepen our roles in conflict. If we do this, we can rescue our field, but the challenges we face are great and the crisis serious.

The Nature of the Crisis

We often congratulate ourselves about the growth of conflict resolution and its increasing recognition by the general public. We are no longer a marginal group of innovators presenting to an unaware public a completely new way of looking at and approaching conflict. But the field’s growth has obscured the fact that it is facing a major crisis in achieving broad acceptance, profound impact, or mainstream use. As a result, the conflict resolution field has not yet lived up to its potential for changing the way conflict is handled in our organizations, communities, or societies. Signs of this crisis are plentiful.

Symptoms of the Crisis

Conflict resolution professionals are not significantly involved in the major conflicts of our times. Many conflict resolution practitioners play useful but essentially marginal roles in large-scale public conflicts (examples are the Middle East, Iraq or Korea, and major environmental or social policy), but we are not involved at the center of the conflict or decision-making processes. This is not to say that conflict resolution professionals have never been involved at the center of major conflicts. Practitioners such as William Ury, Harold Saunders, and Roger Fisher have worked with governmental leaders on major conflicts. Organizations such as the Carter Center, the Consensus Building Institute, and CDR Associates have played an important role in a number of major conflicts. But their efforts, though important, are still the exception.

People involved in conflict do not readily or naturally turn to conflict resolvers. In many arenas, if mediators had to rely on peo-
people voluntarily asking for their services, they would have almost no business. Instead, people must be persuaded, cajoled, or mandated to use mediation and related services.

Advocates, activists, and governmental officials generally look on conflict resolution processes with great suspicion. After years of efforts at winning their support and trust and despite many experiences with conflict resolution efforts, activists and advocates still express a great deal of suspicion and skepticism about conflict resolution. People fear that collaborative problem-solving processes will prove expensive, time-consuming, compromising, and ineffective. As a result, there is ongoing resistance to participation in consensus-building dialogues and related conflict resolution processes.

Government agencies such as the Environmental Protection Agency and the Department of the Interior that in the past have used conflict resolution processes to fulfill aspects of their mission are questioning this approach and withdrawing resources from consensus-building efforts. Although they may continue to see mediation as valuable for solving internal personnel disputes, increasingly they are questioning conflict resolution forums as a means for dealing with the policymaking process. Some of this may reflect the particular beliefs of the current political leadership, but this trend also reflects questions that have arisen about the expense and effectiveness of consensus-building forums.

Many more people want to act as conflict resolvers than to use conflict resolution services. The interest people have shown in becoming mediators, facilitators, or dispute system designers has continued to outpace the interest of the public in using these services. Many conflict resolution organizations would have a hard time surviving were it not for the interest that people continue to show in conflict resolution training. But if the interest in becoming conflict resolution practitioners continues to outstrip the interest in using the services of these practitioners, people will become increasingly disinterested and perhaps resistant to training as well.

The culture of how conflict is handled on a societal, communal, organizational, and interpersonal level (at least in North America)
may be slowly evolving. Participatory and interest-based approaches are gradually inserting themselves alongside more traditional hierarchical and positional models of decision making and conflict management. But it is not clear that this is related to the impact of the conflict resolution field.

Despite many efforts to achieve a genuine diversity of practice and practitioners, most conflict resolution organizations continue to be primarily middle class in orientation and overwhelmingly white. This may in part reflect problems in reaching out to people from diverse backgrounds and maintaining a consciousness about issues of diversity in all elements of our activities. However, we should also consider the possibility that the nature of the services offered and the concept of the field currently being articulated may speak to a narrow range of people. The underlying assumptions current in our field about what people want in conflict may reflect the class, ethnicity, and privileged status of the dominant groups in our field. For example, the concepts of neutrality and impartiality that we commonly rely on to describe our role and establish our credibility are grounded in a particular cultural context.

When people do turn to conflict resolvers, they often want approaches that are out of sync with the articulated values of the field. People often want advice, recommendations, and evaluations of their case; assistance in persuading others; or vindication of their actions and positions. Often disputants more readily look to people with power or a history of power to assist them, even if these people are neither trained in conflict resolution nor credible as neutrals. In this respect, the needs of people or institutions in conflict may be contradictory to or at least very different from the values and ideologies of conflict resolution practitioners.

At professional conferences, the ratio of practitioners who have succeeded in making conflict resolution their sustaining source of work to those aspiring to do so is abysmally low. Panels of successful mediators discussing their business development practices are plentiful, popular, and well attended, and probably not particularly helpful.
The field’s very identity and independence as a field of practice is under attack. In fact, the conflict resolution field is facing the prospect of being entirely absorbed into existing professional disciplines, particularly law. Independent practitioner organizations such as the Association for Conflict Resolution, the Association of Family Conciliation Courts, the National Association for Community Mediation, and the National Conference of Peacemaking and Conflict Resolution (now PeaceWeb) struggle to achieve their place and to grow; some struggle for their survival; while the Alternative Dispute Resolution Section of the American Bar Association flourishes. Many practitioners question whether they can get the public acceptance, credentials, or professional standing through conflict resolution organizations that they can get through other professional identities.

Evaluations of conflict resolutions efforts are mixed. In many arenas, the promised savings in time, money, and energy are hard to document, and the research into consumer attitudes and satisfaction is mixed. Even where there are high levels of individual satisfaction with a conflict resolution program, there is little evidence that overall changes in the way decisions are made and conflicts are resolved have been engendered by conflict resolution efforts.

These are not isolated symptoms but part of a trend that should concern us greatly. The way we have constructed our field and our practice is being questioned in many quarters. Our services continue to be underused. The hopes we have had about transforming the culture of conflict and its resolution have not materialized. We need to face this crisis rather than avoid, deny it, or explain it away.

**Responding to the Crisis**

None of this is news to conflict resolution practitioners. Since the beginning of our emergence as a field of practice in the late 1970s, we have talked about the disparity between the need for conflict resolution services and the market for them. We have had to engage in vigorous marketing efforts to become noticed, get referrals, and
begin to overcome resistance to our approach. While some of this resistance may have been rooted in the professional protectionism of other fields or in adversarial institutional structures, this has hardly been the whole story. We have often had to resort to approaches that might violate our natural inclinations or beliefs to overcome this resistance—for example, mandatory referral systems, evaluative practices, and ongoing institutional contracts that threaten our stance of impartiality.

For years we have faced skeptics who have viewed us as naive at best and more likely as dangerously disempowering to people embroiled in conflict. In recent years, conflict resolution practitioners have often felt less like innovators of an important and creative new approach to major social issues and more like defenders of an established practice that is under attack from a variety of directions.

We have answered these criticisms, attempted to modify our practices, and tried to engage the skeptics in constructive dialogue—that is, after all, what we do. But have we genuinely listened to the doubts and criticisms? Have we really faced the nature of what we do that feeds this skepticism, this reticence to use our services? Have we looked deeply enough at our own interests, needs, assumptions, and concepts? Have we practiced what we preach to others in conflict or in crisis? I don’t think so.

If we are to survive this crisis, learn from it, thrive as a field, and, most important, make a significant and positive difference in the way we approach conflict in our communities and in our world, then we must face the crisis. We must do so clearly, courageously, and wisely. We must be willing to challenge our assumptions and our habits of thinking and acting. And we can do this. We have the experience and skills to take a hard look at ourselves, build on our strengths, learn from our failures, and emerge stronger and better able to help transform the way conflict is conducted.

The story is certainly not all bleak. Conflict resolution has made an impact in many ways. Mediation, arbitration, policy dialogues, facilitated consensus-building processes, school-based conflict resolution programs, restorative justice efforts, collaborative law proj-
ects, shared neutrals programs, and the like are an accepted and still growing feature of the decision-making and dispute resolution landscape. A growing pool of trained and talented conflict resolvers exists. Our understanding of conflict and conflict resolution continues to grow, and people are far less likely to have a blank stare when we identify ourselves as conflict resolvers or mediators. Many organizations and institutions have come to rely on our services—the courts, labor unions, human resource departments, planning agencies, schools. More than individuals in conflict, these agencies are our most important constituents: they keep us in business and appreciate our services. This is a source of great hope, because it is evidence that we have something important to offer to people and organizations in conflict. We can build on the successes we have achieved, the track record we have established, and the credibility that we have developed.

In facing the crisis, we should not lose sight of what we have accomplished and what we have to offer. But we should not hide behind these either. By having the courage to look deeply at the limits of our practice and our thinking, we can emerge as a much more powerful field of practice with a far greater capacity to address the significant conflicts of our time. Let’s consider some of the signs of the crisis more fully.

Where Is Conflict Resolution in Major Conflicts?

The significance of a conflict depends on people’s relationship to the issues involved. To someone who is seriously affected, any conflict can seem major. Mediators have helped many people through divorce, grievances, neighborhood disputes, and environmental conflicts, and for the people involved, these conflicts are likely to be seen as major disputes—conflicts that really count. As a field, we can look with satisfaction at our role in helping people work on these issues. But we must also face the limits implied by this success.

Consider where what we are mainly remarkable for is our absence. After September 11th, did we have a role to play? Were we
part of the process of understanding the underlying conflict that led to the terrorist attacks? Were we involved in developing a strategy to respond to it? In considering how to build better relations with the Islamic world, are we seen as important resources by government leaders, international organizations, involved nongovernmental groups, the media, or the general public? If we had an opportunity to advise policymakers about how to deal with concerns about weapons of mass destruction, would we have anything to say? When our professional organizations have made policy statements about these issues, has anybody noticed, our own members included? In fact, the Association for Conflict Resolution issued a policy statement on weapons of mass destruction suggesting a variety of alternative approaches to dealing with Iraq and other countries in November 2002. No media coverage or even membership interest ensued.

While I writing this book, war was impending with Iraq, a crisis was brewing concerning nuclear weapons development in North Korea, the situation in the Middle East continued to deteriorate, and India and Pakistan seemed close to war. Perhaps these situations have always been the domain of diplomats, politicians, and area experts, and we should not expect to be part of the policy formation process. However, what is striking is the almost total absence of members of our profession from any public discussion of these issues. There seems to be a nonstop series of discussions, commentaries, panels, interviews, and debates in the media about these topics. Diplomats, politicians, journalists, military experts, area experts, political analysts, pollsters, legal experts, and an assortment of other media favorites are repeatedly consulted, but not a conflict resolution practitioner is in sight in these discussions—including some who are quite well known (Roger Fisher, William Ury, and even Jimmy Carter come to mind). We might be able to identify a couple of instances in which conflict resolution practitioners have been interviewed or had commentaries published about alternative approaches to dealing with these escalating conflicts, mostly in local media outlets, but that has been the extent of our involvement.
In November 2002, as a spokesperson for the Association for Conflict Resolution on Iraq, I was interviewed by a large midwestern radio station about alternative approaches to dealing with Iraq. I discussed the importance of understanding the underlying interests of all parties, of considering how to approach a negotiation in an integrative manner, and how there was no necessary contradiction between doing so and adopting a tough stance on weapons of mass destruction. Two things were interesting to me about this interview. One was that the interviewer, whose views favored negotiation, was interested not in how to resolve this conflict but rather how to engage me in the political conflict as a participant. More than anything else, he wanted me to judge the administration’s performance. The other was that despite thinking about this issue a great deal, I did not feel that as a conflict resolution practitioner, I had much to say that would be particularly interesting to the public or of value to policymakers. To me, this is symptomatic of a basic problem we face as conflict resolvers—and is a result of an overly narrow way of thinking about conflict and its resolution.

To blame our minimal involvement in major conflicts on the perversity of the media or the indifference of the public would be to draw exactly the wrong conclusion. Conflict resolution practitioners have to face the fact that people have not seen our relevance to these issues, and if we are honest with ourselves, we as conflict resolvers probably don’t feel that we have much to offer either. We can talk about looking at underlying interests, separating the people from the problem, convening dialogues, engaging in citizen-to-citizen diplomacy, and addressing the emotional dimension of the conflict. These might be worthwhile observations, but they do not resonate with people concerned with or embroiled in such situations. On some level, the public knows something we have to face. What we have to offer in major conflicts is quite limited, even if the powers that be were to listen to us.

We can ask the same question about the role of conflict resolution professionals in major conflicts in almost any arena. What role
are we playing on major environmental issues such as drilling in the Arctic National Wilderness Reserve, global warming, wetlands regulations, revising rules about logging in national forests, or energy policy? Or in the social policy arena: affordable housing, health care, immigration policy, welfare, day care, drug abuse, capital punishment, incarceration practices, or abortion.

Significant conflicts exist in all these arenas, but the role of our field in helping address them has been minimal. Some colleagues have participated in dialogues about these issues or have helped to deal with specific manifestations of these conflicts, mostly at a local level. Others are trying to build organizational frameworks to bring our skills to bear on a larger scale. But so far these efforts have been fairly peripheral—certainly in their impact on policy.

This raises four important questions: What is a conflict resolution practitioner? What role do we currently play in major conflicts? Why don’t we play a more significant role? Should we care?

**What Is a Conflict Resolution Practitioner?**

If we think of conflict resolution practitioners primarily as third-party neutrals, that is, as mediators, arbitrators, facilitators, or fact finders, then our relevance will be limited by the degree that those roles are considered useful in any particular conflict. Since that is how we have primarily thought of ourselves and presented ourselves to the public, it is not surprising that our relevance has been limited accordingly. Instead, I suggest we view conflict resolution practitioners (or, as I shall propose we consider ourselves, specialists in conflict engagement) as people who have special knowledge of the dynamics of conflict, conceptual tools that assist people in developing constructive approaches to conflict, and a range of roles they can play and intervention strategies they can use in assisting people who are involved in conflict. In this sense, conflict resolution practitioners are not defined simply by a role they play or their neutral stance. Instead, they are defined by their knowledge of conflict and the variety of ways in which it can be approached.
As in other fields, people may specialize in providing particular types of services on which they make particular efforts to become adept, such as mediation or facilitation. But these practices should be seen as manifestations of a larger field out of which they arise and which provides the intellectual and institutional framework for our work.

Everyone at one time or another is a conflict resolver, from presidents to school teachers, from generals to parents. In that sense, conflict resolvers are involved in all conflicts. But there is a difference between conflict resolution as a basic human skill and conflict resolution as a field of practice. The temptation is to define that difference in terms of the neutral role, but that is a limiting self-concept. As important as the neutral can be, it is only one role, and often a very limiting one in conflict. Instead, our field should seek to define itself more by its understanding of conflict and its ability to translate that understanding into practical ways of intervening in conflict—or helping other individuals or groups to intervene—from a number of different roles or stances.

What Role Do Practitioners Play in Major Conflicts?

When major conflicts erupt, the role of conflict resolution practitioners has been very circumscribed. We are only occasionally involved in attempting to resolve these conflicts, and we seldom have a presence in the core arenas in which these issues are worked through. The role of conflict resolvers in addressing major conflicts tends to have the following characteristics:

- *Localized*. The more local the conflict is, the more significant a role we are likely to be asked to play, although even with local conflicts, once they erupt beyond a certain level of intensity, conflict resolution practitioners are less likely to be viewed as an important resource. For example, we are much more likely to be asked to assist with a dispute involving a complaint about racial discrimination in a hiring process than with affirmative action as a national policy.
Peripheral. Conflict resolvers are seldom asked to involve themselves in the core issue of major conflicts, but they are sometimes used to work on peripheral aspects. We may not be involved in working on a major peace initiative in the Middle East, but we have been involved in helping to develop an approach to sharing water resources in that part of the world. We have been asked to conduct public meetings and facilitate advisory groups on significant environmental or social policy issues, but we are less frequently involved at the heart of the decision-making process. Some of these initiatives have been extremely useful, particularly some of the “Track II” (that is, nongovernmental) efforts to bring citizens from warring countries together in various formats, but nevertheless, these tend to be one step off from the central efforts to resolve the conflict.

Advisory. We are often asked to assist with facilitating advisory processes, but we are less frequently involved with actual decision-making negotiations. In many school districts, difficult decisions are being made about closing older neighborhood schools for reasons of demographics and efficiency. Conflict resolvers are often involved in facilitating an advisory panel or public involvement process to provide input to decision makers about this, but we are less likely to be involved in negotiations where actual decisions about closures and trade-offs related to them are made.

Short term. Conflict resolvers tend to be brought in on a short-term and specific basis to deal with a particular manifestation of a dispute, even when the issue itself is of long-term duration. Sometimes this is an asset, since it allows for a different perspective and less involvement in the conflict dynamics. But the short-term nature of our involvement can also breed distance, distrust, and superficiality in our approach. In many locations in the West, there have been decades of dispute about how to allocate water among farmers, urban interests, wildlife preserves, and recreational interests. Conflict resolvers are more likely to be brought in to deal with a specific manifestation of this issue, perhaps during a particularly dry season, than to be involved on a long-term basis dealing with the ongoing nature of the problem.
Narrow. When we do involve ourselves in major disputes, we tend to focus on a narrow approach to the issues, not on the broader or deeper aspects that ultimately fuel the conflict. We work on narrow agreements about land use, emissions, forest plans, individual grievances, or contracts, but we seldom have access to or get involved in the broader policy or systemic issues that these represent.

The role that conflict resolvers have played in major conflicts has often been helpful, sometimes healing, and frequently appreciated. In consort with other resolution efforts, we have occasionally had a profound impact, such as in the cumulative effect of years of citizen dialogues and lower-level peacemaking efforts in Northern Ireland. A number of conflict resolution organizations, such as Search for Common Ground, Partners for Democratic Change, and the Mennonite Central Committee, have committed themselves to long-term involvement in societies experiencing serious conflict, and their contributions have been significant. My point is not to negate the value of what these and other efforts have accomplished. Nor do I mean to bemoan the limits of our role, but to understand it and learn what it means for who we are and how we are seen, and the implications of this for the conflict resolution field.

Why Don’t We Play a More Expanded Role?

Answering this question is key to understanding who we are and where we are going as a field. A major purpose of this book is to offer an analysis of and prescription for how to be more useful and accepted as resources in conflict. Five factors seem paramount in why we are not more involved in resolving major public conflicts:

- Disputants do not necessarily want resolution. People want to win, to build a movement, to carry on an important struggle, to achieve meaning, to address basic issues, to gain political advantage, or other similar goals. Resolution implies too shallow an outcome or goal to many. When we were asked to facilitate the Alaska Wolf Summit in
the 1990s to discuss wolf control policy in Alaska, it was clear that most of the participants on all sides of the issue saw this as a long-term struggle to which no resolution was likely. Furthermore, for many, waging the struggle was more important than achieving a consensus on wolf management policy.

- Disputants do not think of themselves as in a conflict. They think of themselves as involved in a cause, a popular movement, a political effort, or a policy debate, and our role is not seen as relevant to these. Conflict implies more of a relationship, an interactive process, with a potential outcome—resolution—than many people will accept. Often, accepting that a conflict exists implies that others involved have either a certain amount of power or standing that requires that they be dealt with in some way. In the wolf summit, many Alaskans did not view themselves in a conflict with national animal rights groups. They might have viewed those groups as creating a problem, but they would not have granted them the status of being participants in a conflict.

- No one, including ourselves, is very clear about what we have to offer. Seldom do people embroiled in major conflict think that what they need are professional neutrals or dispute system designers. We neither promote ourselves nor are normally hired because of our technical expertise, political power, or organizing skills. In fact, people are often confused about exactly what it is that we do offer. Process is a subtle concept for most people, and what those in conflict are most aware of is their need for power, protection, and good solutions. When people understand what it is we offer, they often either feel no need for this or are very suspicious, perhaps viewing our services as potential vehicles for manipulation. We are often unclear ourselves about what our real value is to people stuck in conflict, and we often define our potential contribution in limiting terms.

- Our approach to resolution often seems superficial. We often seem too eager for resolution, and as a result, it sometimes seems that we are seeking solutions that do not match the level of depth at which participants experience a conflict. Too often, people feel we are promoting a lowest-common-denominator approach or a facile or short-term solution that does not address the underlying serious-
ness of a conflict. Focusing on communication, mutual interests, or creative exchanges may be important and helpful, but deeply engaged disputants often do not see this as addressing their deepest concerns and values. In the Alaskan situation, we might have been able to make progress on a wolf control or habitat management plan, but no one felt that we would be able to take on the deeper issues about Alaskan identity, the value (and definition) of wilderness, local control versus national interests, and other basic issues that were close to the heart of what most people really cared about.

- **People are suspicious about neutrality.** People often do not trust our neutrality. They are suspicious of the concept and question, often correctly, whether we can genuinely be as neutral, impartial, and unbiased as we say we are. More important perhaps, neutrality is not what people embroiled in deep conflict are usually looking for. They want assistance, advocacy, advice, power, resources, connections, or wisdom. We tend to rely heavily on a neutral stance to obtain trust and credibility, whereas disputants are more inclined to accept the procedural help of a nonneutral who brings other resources to bear and to doubt the practical usefulness of someone who is genuinely neutral. There are times when neutrality is essential, but conflict resolvers place too much reliance on it as an organizing feature of the role we play. In many situations, if we emphasized this less, we might actually be trusted more.

This raises the question about who we are if we are not neutrals. How are we different from lawyers, advocates, activists, decision makers, or substantive consultants? The answer to this will grow from a deeper understanding of and belief in what we have to offer, in the value of our understanding about conflict dynamics, and in our clarity about the multiple roles we can play and the skills we can offer to people in conflict.

**Should We Care?**

If we continue to be used as mediators, arbitrators, facilitators, and dispute system designers and if the results of our efforts are positive, why should we care if we are not seen as players in major conflicts?
Perhaps as individual practitioners or organizations, we should not, but as a field, we most definitely should. Conflict resolution as a field of practice is relatively new (although not as a human endeavor), and our survival as an independent discipline is far from assured. We are still more a collection of roles, practice approaches, and overlapping values than a well-integrated field with common intellectual frameworks, independent educational structures, and a clear and publicly understood role. To a large extent, these are provided to us by our other fields of origin (for example, law, mental health, labor relations, human resources, or planning).

Historically, we have been more of a movement than a profession (see Chapter Five). As a movement, we have been committed to altering the way decisions are made, disputes resolved, policy debated, and contracts negotiated. To do so, we have proposed new professional roles that have challenged the existing practices of other fields. These fields have responded by trying to subsume conflict resolution roles within their own activities. Lawyers now embrace mediation as one of their areas of expertise. So do many mental health practitioners, planners, and organizational development specialists.

We should be pleased to see our practices and ideas mainstreamed in this way. But unless there is also a strong independent field of conflict resolution, then the basic philosophy, values, and alternative ways of thinking that the field represents will get seriously diluted and perhaps lost. Currently, the image we have of ourselves as a social movement, which is significantly altering the way society handles its conflicts, is not matched by the reality of our impact. A clear and independent identity seems essential to realize the underlying goals and values of the field. That is why our lack of involvement in the broadest conflicts of our time is concerning.

If we viewed ourselves as divorce specialists, environmental consultants, or labor relations specialists, then we would want to be seen as having something relevant to say on major family, environmental, or labor issues. But that is not the primary way we have chosen to identify ourselves. Instead, we have identified ourselves
as conflict resolvers. We have taken on this identity because of our concerns about how conflict is handled and our belief that we have something of importance to offer in this arena. Those concerns are well founded, and we do have something of importance to offer. But neither the general public nor policymakers seem to see us as experts in dealing with conflict. Instead, they view us as people who play a very specific and limited role of occasional usefulness.

If this continues to be how we are seen, we will eventually lose our precarious standing as an independent field of practice (although conflict resolution may continue to exist as a field of study). Mediation, for example, may come to be seen as a specific role that lawyers, social workers, or management consultants occasionally choose to play. The professional training and knowledge base that will be viewed as important will be the particular substantive knowledge of practitioners, not their broader or deeper understanding of conflict. In other words, conflict resolution as such will continue to be viewed as a secondary area of knowledge—more as a set of specific skills and a particular cluster of roles than as a freestanding and rich field. We may well head down this road, but if we do, our ability to shape the way conflicts and decisions are handled in our society will be curtailed, and our potential to help people embroiled in serious conflict will continue to be limited.

Our field has been able to maintain a certain élan as a new and creative endeavor, and we have received attention from other fields, and to some extent from the public, disproportionate to our actual numbers or involvement in conflicts. We have been able to establish ourselves as an innovative movement that has challenged the traditional way other fields and significant institutions, such as the courts and government agencies, conduct their business. But eventually, movements like ours have to become institutionalized and their value accepted by society if they are to have an important ongoing role. Fields such as psychology, social work, and education have made this transition. Others, such as organizational development and cross-cultural studies, have not yet succeeded in this and are facing many of the same challenges we are.
We cannot continue to fall back on our role as innovators as the source of our professional credibility or impact. We have probably reached the limit of our potential influence and impact on this basis alone. An innovative professional movement that does not achieve a level of institutionalization and is not broadly accepted by the public it intends to serve will begin to fade in influence and resources. Until the late 1960s, community organization and group work were considered to be two of the three major fields of social work education and practice. Graduate programs, field placements, accreditation procedures, and job classifications in social work were organized around this concept. But during the 1970s and 1980s, the viability of these approaches from the perspective of the public and the client base faded. The values and skills of organizing and group work are still relevant, but with few exceptions, these are no longer independent specialties within social work practice. The perspective and skill base that these disciplines promoted may not have been entirely lost, but they have a decidedly diminished presence and impact within social work and in the larger communities that they once served. New fields emerge; old ones disappear. Sometimes this is a sign of maturation and development. But I believe something important will be lost if the field of conflict resolution cannot find a permanent and meaningful place in helping address the most serious conflicts of our time and if instead it is absorbed into existing fields of practice. The best way to avoid this is to face the sources of resistance that we encounter and to learn from these.

So even if many mediators, facilitators, arbitrators, and other conflict resolution practitioners continue to have work, the field’s lack of significant involvement in major conflicts is both a symptom of a larger problem and a warning sign that should not be ignored. Our continued existence as a field is related to how relevant we are seen to helping understand and deal with the major conflicts that we can read about every day or hear on the nightly news. Right now, we are not seen as very relevant. This is one major indicator of the crisis in our field. A second has to do with people’s reluctance to use our services.
What the Public Wants, and What Resolvers Deliver

Conflict resolvers should not be surprised that we have interests that do not exactly coincide with those of our clients or the public we serve. Anyone who has ever mediated a case involving advocates or agents, be they attorneys, union officials, or human resource personnel, knows that the interests of the advocate and those of the client are often very different and sometimes significantly out of sync with each other. Why should we be any different? We have a vision of who we are, what we have to contribute, and how we feel conflicts should be approached. This vision is hardly the same as the goals and aspirations of the client population we serve, though not in contradiction to it, and facing this can be uncomfortable for us. But what is harder to accept is the frequency with which people do not want what we have to offer at all—or at least not on the terms we offer it.

What Conflict Resolution Practitioners Offer

Generally we feel that if we bring disputing parties together in a safe atmosphere using a thoughtful process, they will be able to communicate their concerns, listen to each other, identify alternatives, and make wise decisions. For many years, we have offered this service, these skills, and this vision to the public in one way or another. Along with this have come the values and rhetoric of empowerment, self-determination, participatory democracy, and nonviolence. We have deeply believed in these values, they reflect our sense of what must be cultivated and nurtured in our society, and very few of the disputants we work with would disagree with these in the abstract. Furthermore, conflict resolution practitioners have shown that their approaches can work in many different situations. People repeatedly report high levels of satisfaction from their experiences in mediation (for a review, see Wissler, 2002) almost regardless of the mediator’s approach. So what is the source of the resistance to our work that we so often encounter?
How We Understand the Public Resistance to What We Offer

If the public seems to accept the value premise of our field and if there is a genuinely high level of satisfaction with the outcome of conflict resolution efforts, why is it that people are so often reluctant to use our services? Why must the public be cajoled, persuaded, and even forced into using mediators? Why do people so frequently approach collaborative dialogues with foreboding, resistance, suspicion, or fear? One common explanation is that they don’t understand conflict resolution or mediation, that they need more education, that it is still too unfamiliar. A second is that advocates, particularly lawyers, are threatened by the encroachment of conflict resolvers into what has traditionally been their domain and are therefore throwing up roadblocks and steering their clients away from conflict resolution processes. These dynamics may be present, and probably often are, but they hardly explain the persistence of this dilemma. For well over twenty years, the public has been hearing about and experiencing conflict resolution, facilitation, and other consensus-building processes. Lawyers and union representatives have often (though not always) embraced it, and many are eager to become mediators.

Some at least rudimentary knowledge of conflict resolution is very widespread. William Ury (2000) tells of an experience he had in 1995 on a little island off Papua New Guinea. He was walking by a local bar when some people inside called out to him and asked what he was doing in New Guinea. “I’ve come to learn about clan war and now to stop it,” he said. “Oh you mean ‘conflict resolution,’” was the response of a man who, it turned out, had just attended a workshop at his church about mediation (p. 131). Though the education may not be perfect, though there are many institutional roadblocks to the integration of conflict resolution processes into traditional decision making, and though some in the legal and advocacy community continue to show resistance, we are no longer in a situation of being an unknown entity about which the public is little informed. Something more is going on in relationship to the
public’s reluctance to use our services—something that has to do with a lack of congruence between the values, assumptions, and interests of conflict resolvers and those of the public we seek to serve.

Two assumptions, both entirely in keeping with our values about conflict, will help us understand and react more productively to the issue of use and resistance. First, we should assume that the public knows exactly what it is doing and does not need some external authority to tell them how to proceed. Second, we should assume that if we dig deeply enough, we can find the level at which our interests and values and those of the wider public we serve are not in conflict—that an integrative solution is possible. If we assume the public knows what it is doing, then we have to go beyond the solution of more education and more mandatory referrals to conflict resolution processes. If we assume that we do have something to offer that is congruent with the public’s interests, then we have to identify what it is and how we can offer it.

What People Want in Conflict

What does the public, that is, people who are embroiled in conflict, want, and how is it different from what we offer? McEwen and others have pointed to an interesting paradox (McEwen and Milburn, 1993). When people participate in mediation, they report high levels of satisfaction, but nonetheless they resist participation. This pattern has endured for years. What is the source of the resistance? There are six needs that many feel will not be met by mediation or other consensus-building processes:

- **Voice.** People embroiled in conflict want to be heard, and heard in a powerful way by people whom they think count. These people are not necessarily those with whom they are in conflict, but instead are the people who represent social authority and cultural legitimacy. In traditional litigation, the judge represents that authority and legitimacy, although the actual experience of appearing before a judge does not always give people a sense of voice. The
premise of confidentiality, while allowing for a more flexible and low-stakes approach to the resolution of conflict, may actually interfere with people's ability to have a voice. This is also true in collaborative dialogues, which seem to provide far less a sense of public voice than do lawsuits, media appearances, demonstrations, and other forms of more public expression (Silbey, 2002).

Moreover, people want their voice to be expressed and heard in a way that reinforces their sense of who they are and is congruent with their values. If people's self-image and belief system reinforce consensus-building approaches, then they may be drawn to those forums, but many disputants are looking for an approach that promotes their sense of themselves as powerful, decisive, and courageous. Consensus-building approaches may not offer this kind of reinforcement.

- **Procedural justice.** When people say they want their “day in court,” it is not just about being heard. It’s also about being given the same fair opportunity to resolve their conflicts or meet their needs that they feel everyone else is being given. In fact, this might be naive, because the courts do not treat everyone equally. But they purport to, and this is the underlying presumption of a rule of law. Also, people believe that they more or less know the basic rules of the litigation game, flawed though they may be, even though their vision of these may actually be extremely distorted by the romanticization of legal proceedings in the media and popular culture. Whether through the courts or some other forum involving a process that people believe is clear, predictable, consistent, and powerful, people are looking for a process to resolve conflict that they view as just and fair (Welsh, 2001a). The very fact that conflict resolution processes genuinely offer a more flexible, individualized, and often private process can interfere with their ability to fulfills people’s desire for procedural justice.

I was once asked to arbitrate a case involving the eviction of a public housing tenant for behavior threatening to his neighbors. Although it seemed quite clear that he would be able to achieve a better housing deal through a negotiated agreement, he insisted on
going through with the full panel hearing because he did not believe his case would have received a “fair hearing” otherwise. In particular, he wanted to make sure that the procedural rights the housing contract gave him were completely exercised before he would agree to leave the housing project, even though it was apparent that he would obtain a better outcome in private negotiations with the housing managers.

- **Vindication.** Disputants in traditional conflict resolution processes usually do not get the kind of vindication they desire, and mostly they know this, but there is always the chance that they might. Disputants do not usually see their conflict in purely utilitarian terms. Considerable normative aspects are generally involved. Disputants often believe that their conflict is not just about perceived incompatible interests, but about right and wrong, and that the needs of the different parties are not of equal worth. Vindication is therefore important—vindication in the sense that the outcome somehow furthers disputants’ sense that they are right and that their cause is just. Seldom does this kind of vindication occur. The fantasy of a powerful representative of social norms looking down from the bench and indicating that one party to a dispute is just and righteous and the other shallow and evil may almost always be just that: a fantasy not likely to be realized. But it is at least conceivable. An analogous image is that of the righteous political forces sweeping the evil politicians or organizational leadership away and replacing them with people with virtuous approaches to public policy or corporate decision making. Such pure and simple solutions to serious conflicts seldom, if ever, take place, but they too are at least conceivable.

The premise of most conflict resolution practice is that the normative or value-based elements of conflict are not a productive focus and that people need to let go of their desire for total victory and accept an outcome that will meet their most essential interests. This is true whether we are talking about a medical malpractice suit, a divorce, a grievance, an environmental struggle, or the conflict in Northern Ireland. Thus, the very desire or need for vindication is negated in most conflict resolution processes. The problem is that
Vindication may in fact represent people's deepest needs. Legal, political, or public confrontation approaches, although they may make it more costly and difficult to meet other needs in a creative and effective manner, do not reject the need for vindication as a premise to participation in the process itself. Conflictants are often willing to give up on the hope for vindication, but they are able to do this only if they feel they have given their best shot at obtaining it. Seldom do people feel that collaborative processes are their best shot.

- **Validation.** Related to vindication, but not quite the same, is the need for validation—validation of feelings and point of view. Most people who feel hurt, unfairly attacked, or victimized do not want to give up their angry or outraged feelings too readily. Many of us can recall a time when we have been reluctant to give up our righteous anger about something even though we learned that we were mistaken about what had occurred. We may have been happy to learn that the situation was not as awful as we had assumed, but it is still sometimes hard to give up the emotions that have been stirred up. Sometimes people refuse to accept new information simply because of this.

Most conflict resolution techniques do not require people to sacrifice their feelings and may even offer an opportunity to express them that is not available in more traditional methods. Nonetheless, the goal of establishing an integrative, face-to-face problem-solving forum makes it hard to maintain these feelings with the intensity that they have been experienced. By emphasizing personal interaction and the need to understand each other's point of view, most conflict resolution processes almost inevitably require a softening of the expression and often the experience of the emotional side of conflict. They also call on people to begin reexamining their often polarized, stereotyped, and simplistic view of each other. This is both a primary value of conflict resolution procedures and a negative incentive for those who are so committed to their views about others that they do not want them challenged by face-to-face interchange. The validation many conflictants desire is to some extent contradicted by these typical approaches to conflict resolution.
• Impact. Disputants want to experience two types of impact: specific and broad. Specifically, people want to feel that they can have an impact on their own situation. In that sense, they want to feel empowered. The paradox here is that many forms of conflict resolution offer people the potential to have a more direct impact than traditional approaches, but to have confidence in their ability to have this impact, they have to have confidence in their own power—personal and structural. Often people engaged in serious conflict do not have such confidence. Effective conflict resolution processes can help them experience their power and apply it in a meaningful way. But they are often discouraged about engaging in these processes because they either do not sense that they can be powerful in these forums or they want to associate with the power of others, such as advocates. In many divorces, for example, parties are unwilling to give up the traditional use of lawyers as spokespeople or negotiators and to use them instead as advisers or consultants. This may account for some of the reservations that people express about divorce mediation or collaborative law. Even if people can be very powerful as direct parties to a negotiation, they often do not have confidence in or trust this personal exercise of power.

The desire to have a broad influence is a second dimension to people’s desire for impact. This is related to their need for connectivity and meaning—to be part of a larger struggle or larger issue. In most conflict situations, disputants see their issue or grievance as part of a larger cause or drama. Each individual grievance in a workplace can readily be seen as a small battle in a larger struggle between labor and management. Each equal employment opportunity complaint can be viewed against a systematic background of institutional racism, homophobia, ageism, or sexism. Each environmental dispute can be seen as part of a larger struggle to preserve the environment or the economic viability of regulated organizations. While some conflict resolution processes address broader issues in ways that enable participants to experience the social impact of their efforts, these are the exception. In most situations, participants are asked to reach agreements about their individual conflict,
and these agreements are often private, confidential, and non-precedent setting. As a result, people often have to disassociate, at least in part, the immediate agreement or conflict from the larger social issue. This can undercut the sense that people want to have that they are part of a larger struggle.

- Safety. Finally, people want to feel safe and protected. For most of us, engaging in conflict feels risky and scary. When people overcome their avoidance patterns and take on a conflict, whether by choice or involuntarily, they are often pulled in conflicting directions. They want to feel empowered and effective, but also safe and secure. Conflict resolution processes attempt to provide a safe environment in which people can discuss their concerns without fear of retaliation, but for many, safety is more likely to be found in a different way. For some, safety is more likely to be experienced in a formal process with very clear rules and procedures. For others, it is more likely to be achieved through the use of representatives who will engage the conflict on behalf of the disputants. Ironically, for many people, the use of advocates or formal systems offers the (usually false) hope that they can both engage in and avoid conflict at the same time. Therefore, conflict resolution processes can sometimes seem less safe than more adversarial or advocacy-based approaches.

None of these key needs are necessarily contradictory to the premises of conflict resolution, and the alternatives to which people may turn are often no better at meeting these needs. However, the ways in which we have structured our services and thought about what we have to offer have often implied to disputants that they were going to have to give up their deeper purposes or needs in order to accept our help. If this continues to be the case, and people continue believing that they have to sacrifice their aspirations to achieve voice, justice, vindication, validation, impact, or safety in order to engage in conflict resolution processes, then we can continue to expect resistance to our services from those who are deeply embroiled in conflict. Unless we address these concerns, conflict
resolution as a field of practice will remain marginalized in impact and limited in scope. To address them, we have to challenge some of the most fundamental presumptions we have made about who we are and what we offer.

Four Problematic Assumptions of the Conflict Resolution Field

The underlying nature of the problem we face lies in our own self-identity—how we view who we are as a field and what it is that we have to offer people. We are victims of our own overly narrow view of ourselves and what it is we bring to conflict. This view may have made it easier for us to identify what it is we do and to market our services, but it has also led to a constrained view on the part of the public about what they can get from us, and more important, it has constrained our own thinking. We need to challenge four key presumptions about who we are and what we do:

- We overidentify our work with the third-party neutral role. As professional conflict resolvers, we almost always see ourselves as third-party neutrals. We may be mediators, facilitators, arbitrators, designers, or trainers. But almost always we see ourselves as neutrals. An essential part of our self-definition is that we don’t align ourselves with any one group and that we look at problems “objectively” (whatever that means). In my career, I am almost always hired as a neutral, and my credibility to some extent revolves on whether I can project and maintain that stance. This is a great source of strength, but also a significant limitation on both the services we offer and the readiness of people in conflict to use us. With neutrality comes one source of credibility, but also many sources of mistrust and doubt. Neutrals may offer one means for creating a safe, flexible, informal, and creative forum for interchange, but they do not offer sufficient opportunities for voice, justice, vindication, validation, or impact. Also, to accept the use of neutrals, people in
conflict must buy into a certain presumption of moral, legal, and political equality. Therein lie the limits of neutrality and the suspicion many involved in conflict have about using our services.

Judges are perceived as neutral in some sense as well, but along with that neutrality comes the power of office, of social legitimacy. Judges carry with them the considerable weight of the social legitimacy that they convey. In the sense that they represent societal norms, judges are of course not neutral. In fact, they are expected to convey the potential of societal approbation or societal support through the decisions that they render. Mediators, facilitators, and other conflict resolution professionals do not offer that kind of social sanction. To the extent that people need this sanction, neutral conflict resolvers cannot avoid falling short.

Why is it that we have identified our role so strongly with the third-party neutral role? One answer is that the neutral stance appears to offer a clear message to the public about who we are or what we do. It simplifies our presentation of our values and our role. As neutrals, we purport to be clear about how we will think and behave. The values and ethical commitment that we bring to conflict are conveyed and defined by our commitment to being neutral. There are two problems here. One is that people in conflict often want or need something other than the intervention of third-party neutrals. When what they want is voice, vindication, or procedural justice, for example, neutrals offer very little. People intuitively understand this, but they don’t typically articulate it in these terms. Instead, they resist, passively or aggressively, or simply avoid the use of third parties.

The second problem is that neutrality makes sense only as a statement of intention, not of behavior. We bring with us a set of beliefs, values, and interests to every conflict we enter, no matter how firmly we are committed to neutrality. Every action we take, or choose not to take, reflects this, and the disputants we work with are sensitive to this. So asserting ourselves as neutral may appear to clarify our role, but in reality it can easily serve to obfuscate or distort the real nature of what we have to contribute.
The role of a third-party neutral is an important and powerful one, but only one of many roles that people in conflict need. They need consultants, advisers, advocates, teachers, representatives, and substantive experts, as well as facilitators, conciliators, and mediators. As long as the field of conflict resolution is so closely identified with the third-party role, it will neither be used nor trusted when people’s essential needs are for some other form of assistance. This is not to suggest abandoning the role or practice of neutrals, but rather to enlarge our definition of the field beyond this.

- **We are too focused on collaborative problem solving.** A second essential feature of our self-identity is that we see our role as necessarily connected to collaborative problem solving. Conflict resolution is repeatedly discussed in terms of bringing different parties together to air their concerns, discuss their differences, and seek out collaborative solutions through dialogue and creative problem solving. When collaborative or integrative problem solving is what is called for, we can provide expertise in designing and conducting processes for achieving this. But frequently disputants are neither interested nor ready to seek a collaborative outcome. Instead, they often want help with noncollaborative approaches—ones that they hope will further their cause, achieve victory, and give them the chance to be heard in a powerful and decisive way. In many parts of Europe (for instance, France and Norway), it is unacceptable to use the term *collaboration* to discuss a constructive approach to resolving conflict because that term has been associated with cooperation with evil. (During World War II, collaborators were those despised individuals who cooperated with occupying Nazi forces.) People in conflict are often worried that the collaborative processes in which they are urged to participate will require them to give up something of basic value or to cooperate with what they believe to be evil or malicious.

- **We think our job is to resolve conflicts.** We are in the conflict resolution business after all. Our major organizations and educational programs usually contain the term *conflict resolution* or *dispute resolution* (or *mediation* or *negotiation*). Resolving conflicts is a fine
goal, but defining our field of practice in these terms poses some real problems. Medicine does not define itself in terms of making people healthy or curing illness. Law, engineering, psychology, and economics all shy away from narrow and instrumental self definitions as well. We should too. The problem is that resolution is just one goal that we might have in relation to conflict, and a fairly poorly defined one at that.

We need to approach conflict in a much more diverse and complex way. Conflict is a process that is not always amenable to resolution, as we usually understand it. Often people experience and express a need for help in resolving conflict, although this can mean many different things (Mayer, 2000). But at other times, people in conflict want help understanding, surfacing, intensifying, or conducting a conflict, and then the goal of resolution can seem far off and almost irrelevant—especially if resolution means something other than victory. If we want to work with people enraged about racial profiling, government officials who feel that a citizens’ group is completely unreasonable and inflexible, or individuals who believe their rights as an ethnic minority are being trampled on, then our offer to help them resolve their conflicts may seem totally irrelevant and may even provoke resentment. People in these circumstances believe that the only type of resolution that is currently available is shallow and temporary. Often resolutions or agreements can at best provide temporary resting places in an ongoing process of struggle. Those who offer resolution in such circumstances are therefore likely to be viewed as encouraging the abandonment of a deeply felt cause or belief and are going to be instinctively distrusted.

- We don’t view ourselves as having anything to offer people who want to continue and deepen a conflict. The corollary problem to an exclusive focus on resolution is a failure to offer anything of value to people who want to remain in conflict, who feel that their purposes will best be served by continuing and deepening a conflict, and who feel that attempts at resolution are short sighted at best, and possibly dangerous. The conflict resolution field has not given much more than lip service (if that) to helping people engage in
conflict effectively and constructively. We have viewed this as neither our purpose nor our strength. This significantly limits the role we can potentially play and the degree to which we can affect the way conflict is conducted.

Do we in fact have anything to offer people in conflict that they cannot get more readily and effectively from other sources? Won’t people wanting to conduct a conflict always be better off working with a lawyer or some other “hired gun”? Our future ability to have an impact on conflict and to find a more powerful role for our field may well revolve around the answers to these questions.

I believe that the experience, skills, understanding, and concepts that we bring to our work as conflict resolvers can be used to assist people who are committed to continuing a conflict. But to do this, we have to embrace the value of conflict itself in a more committed way than is the norm in our field. And we have to believe that there is a reason for conflict resolution professionals to help people engage more deeply in conflict. This means becoming more comfortable with the roles of advocate, coach, trainer, adviser, and negotiator and accepting these roles as appropriate for conflict resolution professionals. And it means understanding that what we bring to them will be very different and distinct from what lawyers, agents, political organizers, or decision makers bring (see Chapter Seven). If we fail to accept these roles, they will still be filled, but they will be less likely to be filled by people with a commitment to taking an integrative view of conflict and more likely to be occupied by people with a rights- or power-based view of how to approach conflict.

None of this is to suggest that the role of the third-party neutral, committed to helping people resolve their conflicts in a constructive and collaborative manner, is not important and worthwhile. I have spent twenty-five years working as a third-party neutral and I am committed to the value of this work. The work of neutrals will continue to be a necessary and important part of the conflict resolution field. But at the same time, we have to understand the limits of this
role and the problems with clinging to it as our sole approach to conflict. If we are going to overcome the resistance to our work, the criticisms of our efforts, and the limits in our ability to influence the way conflict is conducted, we are going to have to free ourselves from each of these four presumptions (which I consider further in Chapter Four) and develop a wider range of services and approaches that this implies.

**What Conflict Resolution Offers:**
**The Essence of the Field**

Challenging these assumptions will raise fundamental questions about our identity. What is our basis of unity, our reason for existence, and what connects those of us who identify ourselves as conflict resolvers? If the third-party neutral role is not at the heart of what we offer, what is? Should conflict resolution (or alternative dispute resolution) even be the descriptor we use to identify our work? Conflict resolution as a field consists of self-identified (as opposed to institutionally sanctioned) practitioners. For many, this is only a partial or secondary identification. Conflict resolution is not the field of origin of most practitioners. Most do not have a professional degree from a program in conflict resolution (although conflict resolution degree programs are proliferating), and relatively few make their living entirely from work that they identify as conflict resolution.

As a field, conflict resolution is loosely defined. Our attempts to strengthen this field have focused on institution building—developing credentials, standards for training, professional organizations, and certification procedures. However, whether conflict resolution prospers, grows, and becomes more widely accepted and more influential depends less on developing the infrastructure of a profession than on strengthening the clarity that practitioners share about the heart of what they have to offer and providing services accordingly.

Conflict resolution is more an idea, a vision, a set of values, or even a movement than a professional discipline. What is at the heart of this vision or values that can help us understand what our
potential role can be in conflict? If we are clear about this, we will be able to be more flexible, creative, and influential. I believe six key characteristics are at the core of what brings conflict resolvers together and of what we have to offer to people in conflict:

- **A focus on the integrative potential of conflict.** Regardless of the conflict or of our role, we are oriented toward understanding and achieving the greatest integrative potential a conflict situation has to offer. That is, we are committed to identifying that aspect of a conflict that does not require one party to sacrifice its essential interests in order for another party to meet its (Lax and Sebenius, 1986; Thomas, 1983; Walton and McKersie, 1980). At the same time, to be effective, we must not be naive about this. We must also be willing to assist with the genuinely distributive elements of conflict when a limited amount of value must be apportioned. Nevertheless, we bring a set of values and tools to encourage that the integrative potential of conflict is not overlooked.

- **A needs-based approach.** Some refer to this as an interest-based approach (Fisher and Ury, 1981; Moore, 1991; Brett, Goldberg, and Ury, 1988). I believe the essence of our approach extends beyond interests to a broader range of human needs (Mayer, 2000). Whether we define this as interest or needs based, the essence of this approach is a commitment to understanding conflict and negotiation in terms of the needs people have that are motivating them and that must be addressed for them to be satisfied with the progress of a conflict process. The most skillful conflict practitioners are able to discern and help different parties understand the rich and complex range of interests at play in a conflict. This can be differentiated from a focus on power or on rights as a means of understanding and conducting conflict.

But more significant, it means understanding the complex and often subtle relationship between power, rights, and interests and making sure that a focus on power or rights does not overshadow an understanding of needs. The focus on needs is what helps people think wisely and in a mature manner about the nature of a conflict and the
different possible roads through it. Related to this focus is a widely (although not universally) held commitment to carrying on conflict nonviolently—or at the very least to see violence and other coercive approaches to the application of power as a very dangerous tool to be applied with great caution.

- **A focus on communication.** Conflict intervenors must be communication experts, because communication is their central tool regardless of their role. What we have to offer people is assistance, advice, forums, and approaches for communication. This does not necessarily mean polite, friendly, direct, collaborative, or even tactful communication, but it does mean effective communication. Conflict can be understood as a means of communicating between people with different needs. Often the challenge for conflict resolvers is to find a way for conflict to be used to help people communicate with each other effectively, constructively, and with a minimum destructiveness.

In *Thirteen Days* (New Line Cinema, 2000), the popular film dramatization of the Cuban missile crisis, there is an interesting scene between Robert McNamara, the U.S. secretary of defense, and an admiral who was directing the fleet that was set to intercept Russian ships approaching Cuba. The admiral orders one of the ships to shoot star shells (harmless shells, fired as a warning) over the bow of a Russian ship, prompting an angry and tired McNamara to insist that no shots be fired without presidential authorization. The admiral says that these were not shots but just warning signals that were part of the U.S. Rules of Engagement that had been in place since the time of John Paul Jones. Frustrated, McNamara says: “You don’t understand a thing, do you, Admiral? This is not a blockade. This is language, a new vocabulary, the likes of which the world has never seen. This is President Kennedy communicating with Secretary Khrushchev.”

In a sense, all conflict is about sending clear and understandable messages, and even when people do not want to settle, they still have something important to communicate. Thus, communication is at the center of conflict.
• A commitment to empowering disputants. When people are in crisis, they often turn to others for assistance. The challenge for intervenors is how to help without disempowering. As a society and as helping professionals, we often respond to crisis by taking away power from the people in crisis. Conflict is often a form of crisis, and social institutions, such as the courts, often intervene by taking power away from disputants who are seeking help with the conflict. But to cope effectively with the crisis, people usually need to be assisted in becoming more empowered, better able to take control over their own lives. The best of intentions can often backfire and perpetuate a problem. This is true whether we are talking about psychological, familial, medical, economic, or community crisis. Across many different fields, an empowerment model of some sort is being advocated for people who are in crisis. Conflict intervenors face the challenge of helping people embroiled in conflict work their way through that conflict without further disempowering them.

• Process focused. While many conflict resolvers have entered into this work because of an interest in and knowledge about the substantive issues involved in conflict (for example, divorce, sustainable development, ethnic relations), what is special about a conflict resolver’s role is this person’s understanding and focus on process. Whatever the process may be—mediation, arbitration, collaborative decision making, negotiation, public agitation, or something else—one key role of the conflict professional is to help design, plan for, and conduct an appropriate process. While others may be more focused on the substance of the issues, conflict resolvers are particularly needed for their ability to anticipate and influence how the process unfolds.

• System focused. People embroiled in conflict tend to focus on their immediate needs, the particular relationships that they are feeling conflicted about, or the specific issue on which they are focused. But conflict is always about more than that. Conflict lies embedded in a system of relationships, needs, power exchanges, and historical dynamics. An action undertaken with a very immediate and particular purpose in mind can often have a far broader impact
on a whole series of relations and interactions than the parties who are involved realize. Conflict can be thought of as a characteristic of complex adaptive systems (Jones and Hughes, 2003), and it is never completely predictable or analyzable. However, by becoming aware of the larger context within which conflict plays out, participants can extend their insights about the nature and dynamics of conflict. A key focus of conflict specialists is on the wider impact and implications of different actions undertaken in conflict and of the broader social, economic, political, cultural, and environmental forces interacting with each particular conflict.

How different conflict practitioners understand, appreciate, or act on these values and principles varies tremendously, and individual practitioners do not necessarily accept or embrace all of them. But as a group, particularly in the North American context, these seem to be the characteristics that broadly define conflict resolution as a field and distinguish it from other approaches to dealing with people in conflict.

The crisis that the field is facing will not be overcome by abandoning these principles, but by applying them in more creative, flexible, and realistic ways. As we consider the specific challenges to the field of conflict resolution, the underlying value and importance of these hallmarks should always be our guide. If there is a future for our field of practice, it will be in becoming wiser and more skillful in bringing these principles and perspectives to bear in all aspects of the work we do. But we will realize our potential only if we can face the shortcomings of our practice, the genuine problems that our approaches have encountered, and the limits we have put on ourselves by an overly constricted self-definition.

The Limits of Resolution, the Power of Engagement

In view of the challenges to our field and the nature of the conflict process itself, the identification of our field with the resolution of conflict seems shortsighted and inaccurate. People involved in conflict
need assistance during many other points in the conflict process—in preventing conflict, understanding that there is a potential conflict, raising that conflict to the level of awareness, escalating a conflict to the point where some response is provoked, conducting and carrying on a conflict until resolution may be possible, engaging in a resolution process, coming to resolution, and healing from conflict. If we are to flourish as a field, we have to become more involved in all aspects of this process. Right now, we are limiting ourselves to what may be the safest and most comfortable part of conflict, but this is a serious limit indeed.

We can be much more powerful intervenors if we expand our thinking about our role. On an intuitive level, we know this. It is often better to work with people on how to become more effective in pursuing the goals that have propelled them into conflict than it is to focus on how to find their way out of conflict. We are far more likely to achieve our potential as a field if our core focus is on how to help people engage in conflict effectively rather than on how to resolve conflict. By focusing on engagement, we can continue to bring to bear the key skills and outlooks that we have to contribute, the hallmarks of our practice, and we can address the legitimate concerns and criticisms that have been raised about what we do. Most important, we can become more effective in dealing with serious conflicts in a constructive way. We should think of ourselves as conflict engagement practitioners rather than conflict resolution professionals. Resolution is part of engagement, but only one part.

In this book, I explore more fully the criticisms and limitations of conflict resolution as a field, and I discuss what it means in practice to redefine ourselves as conflict engagement specialists. I do not suggest abandoning our important resolution roles, but of providing a broader context for our work. In particular, I will propose understanding advocacy to be an essential conflict role. Advocates should be embraced into our field. They have much to offer us, and we have considerable skills and experience to bring to this role. I will also suggest that coaching and organizing are essential roles for conflict
practitioners. If these new roles are genuinely embraced into our work, they will redefine our field.

The challenge and the opportunity that this crisis offers is how to widen our self-perception, how to take what we have to offer even more seriously, how to accept and grow from the criticisms and even the indifference that the public has expressed. Only by doing this can we reach our potential as a field of practice and a social movement.
About the Author

Bernard Mayer, Ph.D., is a partner at CDR Associates in Boulder, Colorado. He has worked since the late 1970s in the conflict resolution field as a mediator, facilitator, trainer, researcher, program administrator, and dispute systems designer. He has mediated or facilitated the resolution of many different types of conflicts, ranging from labor-management, public policy, and ethnic conflicts, to business, family, community, housing, and intergovernmental conflicts. He has worked with corporations; labor unions; Native American governments and associations; federal, state, and local agencies; public interest groups; professional associations; public schools; child welfare programs; mental health services; and universities. He has consulted on conflict management procedures and trained mediators, negotiators, and conflict intervenors throughout the United State and internationally. He has been internationally recognized as a trainer and an innovative leader in applying mediation and conflict resolution to new arenas such as child welfare, mental health, and disputes between public agencies and involuntary clients. Mayer is the author of The Dynamics of Conflict Resolution: A Practitioner’s Guide (Jossey-Bass, 2000) as well as many other writings about conflict and conflict resolution.