

**Institute for Conflict Analysis
and Resolution**

Occasional Paper 7

Resolution: Transforming Conflict and Violence

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About the Author

James H. Laue, Ph.D., came to the Institute for Conflict Analysis and Resolution at George Mason University in 1987 as the Vernon M. and Minnie I. Lynch Professor of Conflict Resolution, the first endowed professorial chair in conflict resolution in the United States.

After receiving master's and doctoral degrees in sociology from Harvard University, Dr. Laue began his career at the Community Relations Service, a branch of the U.S. Department of Justice. There, under the guidance of social activist Roger Wilkins, he mediated civil rights disputes in Selma, Alabama, worked to resolve the Memphis garbage collectors strike, and was one of the first to reach Martin Luther King, Jr. after he was fatally shot on the balcony of the Lorraine Motel.

Prior to joining the Institute for Conflict Analysis and Resolution, Dr. Laue held various academic and administrative positions at Washington University, Harvard Medical School, Emory University, Hollins College, and the University of Missouri at St. Louis and was the director of The Conflict Clinic, Inc., from 1984 to 1987. He is the author of many articles, chapters, and training materials on conflict intervention roles, the ethics of intervention, and other issues in the field.

Dr. Laue, active in both national and international conflict analysis and resolution arenas, has served as a mediator and trainer in a range of major policy conflicts involving such issues as urban planning, transportation, water rights, government reorganization, and race relations.

In 1979, at the request of President Carter, Dr. Laue was vice chair of a commission created to establish a national academy to teach peacemaking techniques. The work of that commission led to the creation in 1984 of the U.S. Institute of Peace, a government agency established to promote research, education, and training on international peace and conflict resolution.

About the Institute

The Institute for Conflict Analysis and Resolution at George Mason University has as its principal mission to advance the understanding and resolution of significant and persistent human conflicts among individuals, groups, communities, identity groups, and nations. To fulfill this mission, the Institute works in four areas: academic programs, consisting of a Doctor of Philosophy (Ph.D.) and a Master of Science (M.S.) in Conflict Analysis and Resolution; research and publication; a clinical and consultancy service offered through the Applied Practice and Theory Program and by individual Institute faculty and senior associates; and public education.

The Applied Practice and Theory (APT) Program draws on faculty, practitioners, and students to form teams to analyze and help resolve broad areas of conflict. These three-to-five-year projects currently address such topics as crime and conflict, jurisdictional conflicts within governments, conflict resolution in deeply divided communities (Northern Ireland, South Africa, Beirut), and conflict in school systems.

Associated with the Institute are a number of organizations that promote and apply conflict resolution principles. These include the Consortium on Peace Research, Education, and Development (COPRED), a networking organization; the National Conference on Peacemaking and Conflict Resolution (NCPCR), offering a biannual conference for conflict resolution practitioners; Northern Virginia Mediation Service (NVMS), offering mediation services to Northern Virginia residents involved in civil or minor criminal disputes; and Starting Small, teaching conflict resolution and problem-solving skills to children.

Major research interests include the study of deep-rooted conflict and its resolution; the exploration of conditions attracting parties to the negotiation table; the role of third parties in dispute resolution; and the testing of a variety of conflict intervention methods in a range of community, national, and international settings.

Outreach to the community is accomplished through the publication of books and articles, public lectures, conferences, and special briefings on the theory and practice of conflict resolution. As part of this effort, the Institute's Working and Occasional Papers offer both the public at large and professionals in the field access to critical thinking flowing from faculty, staff, and students at the Institute.

These papers are presented to stimulate critical consideration of important questions in the study of human conflict.

Foreword

One aspect of the major expansion of Institute resources and, hence, capabilities that took place in 1987 was the endowment of the Vernon M. and Minnie I. Lynch Chair of Conflict Resolution by Edwin and Helen Lynch, long-time supporters of the conflict research program at George Mason University; and the appointment of Dr. James H. Laue as the first Lynch Professor. At the time of Jim Laue's appointment, it was also decided to mark the establishment of this, the very first chair in the country in Conflict Resolution, and to honor Edwin and Helen by holding a public, annual Lynch Lecture, which would provide an opportunity for a major figure in the field to report on progress in research and practice to a wider audience than was generally reached by academic talks and lectures held at universities.

Appropriately, President George W. Johnson wished to introduce the first speaker, and Jim Laue requested that he be allowed to deliver this very first Lynch Lecture, which he duly did on November 17, 1987, to a large, varied, and interested audience. Equally appropriately, Jim chose to deliver a sweeping overview of the field, its recent progress, its basic assumptions, and (most importantly) its practical applications in a variety of arenas in which damaging conflict occurs, from families to international regions, such as the Middle East.

The lecture, which the Institute has now produced in its Occasional Papers series, thus takes the form of an introduction to the field of conflict analysis and resolution, informed by practical lessons and examples from a long experience of conflict resolving in the field. Nobody was better qualified to deliver such a survey than Jim Laue. His experience of working with the Community Relations Service in the 1960s, his background as an academic sociologist, his wide and varied experience as a consultant, an intermediary, a campaigner for conflict "resolutionary" institutions (most notably the United States Peace Academy)—all this gave him a direct and personal knowledge of how the academic and the practical aspects of our field had developed over the previous twenty years, to the point at which the Institute (then the Center) for Conflict Analysis and Resolution stood ready to begin the first doctoral program in the field, and to expand the activities of its faculty and students as theorist-practitioners.

This first Lynch Lecture thus provides a fitting starting point for the series that followed and for the whole series of activities that Jim proceeded to initiate at his new institution, to the amazement and enjoyment of his students, colleagues, and friends.

*Christopher R. Mitchell, Director
The Institute for Conflict Analysis and Resolution*

Inaugural Lecture of the Vernon M. and Minnie I. Lynch
Chair in Conflict Resolution

Address by
James H. Laue, Ph.D.
Lynch Professor of Conflict Resolution
George Mason University
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Resolution: Transforming Conflict and Violence

Introduction

Edwin and Helen Lynch, President Johnson, family, friends, and colleagues. It is impossible for me to tell you how grateful I am to be here in this place: this place in my own life and vocation, this place in the life of George Mason University, and this place in the growth of the field of peacemaking and conflict resolution. There are so many debts to be paid that I hesitate to begin speaking about them. But I will. I am so happy that members of my family are able to be with us tonight—my wife Mariann, our son Ron, and, of course, my mother, who has come from River Falls, Wisconsin.

For those of you who do not know, River Falls—my home town—is near Lake Wobegon country, where we learned about conflict. We thought a marriage between a Lutheran and Catholic was a mixed marriage—real miscegenation!

I also want to say a special thank you to Ed and Helen Lynch for their ongoing support of the fledgling Center for Conflict Analysis and Resolution, for their many years of service to this community and this state, for their vision in honoring Vernon and Minnie Lynch and establishing this chair. I have had the opportunity to read an oral history completed by Mr. Lynch in the late 1960s, and I can tell clearly that the lives of Vernon and Minnie Lynch modeled vision, hard work, patience, loving people, strong loyalties, and spiritual depth—all those qualities so critical to peacemaking and conflict resolution. I did find some interesting stories for those of you who know this area: buying pies at Merrifield for four cents a piece and then selling them for five cents to some of the troops over at Ft. Alger (now the Fairfax Hospital grounds), and leaving at two o'clock in the morning to go up to Washington and tend corn and other things on Haines Point before it became a golf course.

I also found in Mr. Lynch's oral history a story which showed Ed's commitment to nonviolence and peacemaking. It turns out that, during the ten years of Vernon Lynch's hog farming, there was a hog rustling problem in this frontier area called Northern Virginia. In Mr. Lynch's story of his life, I learned that one night he went out to sit by the hogs with a shotgun. Ed was out with the family car and happened to spot the potential rustlers. He spoke with them at some length until the police came. As the story goes, Mr. Lynch, Sr., used the shotgun only to shoot out the rustler's tires—surely a tribute to Ed's virtue and advice!

Soon after we moved to Northern Virginia in August, both Mariann and I were privileged to visit the Annandale United Methodist Church with Ed and Helen. That really is sacred ground for the Lynches—and now for us also. As I stood in that church cemetery before the stones marking the lives of Vernon and Minnie Lynch, I experienced what you might expect: a great sense of the finitude of any one individual's journey here, but also the permanence of lives fully lived. They left legacies of hope and growth, and of the nurturing of great ideas into reality. I am so grateful for their lives and for the opportunity they have helped give us to make a difference.

I also want to say a word about the legacy that has led to the formation of the Center for Conflict Analysis and Resolution here at George Mason University. I hesitate to start listing all the folks who have been involved. You know who you are. I think that all those persons, beginning with the Lynches, represented the chain of unbroken commitments to one of those many miracles of communities that helps us press forward with the essential ingredient in peacemaking and conflict resolution: *hope*—optimism that conflict and violence can be constructively resolved and transformed into consensus and growth for people and their communities. My overwhelming thoughts, as I think back on what this field has meant to me, are that in virtually every conflict one goes into there is pessimism. There is a sense that we have done everything we can. There is nothing more that can be done. The one thing a mediator needs to do is to show a bit of hope that some changes can take place.

There are three major areas I want to address tonight. First is the development of the field of conflict resolution and the establishment and growth of the Center here at George Mason. Second, I will focus on what we mean by "resolution" among all the many possible responses to social conflict and a dimension I have been exploring recently: the concept of transformation in individuals and in the conflict relationship as peacemaking takes place. Finally, I want to talk about some of the

challenges we face in this exciting field, which is now on the edge of what I have called the “ravages of success.” We have been successful enough to begin to face some of the predicted Weberian problems of bureaucratization and rationalization and, as I would put it, the unique combination that happens when original sin and organizational sin get together.

The Field

The field that led to the establishment of the Center here has experienced phenomenal growth in the last twenty years. It has its roots in labor management bargaining, in international arbitration and the rule of international law movement, in race relations in the United States, and in the formation of organizations like the Community Relations Service. Other important sources have been religious groups, especially the peace churches (the Quakers, the Brethren, and the Mennonites), and the peace movement itself, as well as the peace research field.

I want to take just a minute to say a word to those of you who are not as familiar with the field as the forty students in our little seminar this fall, a word about what I see to be the highlights of the growth of this field in the last twenty years. We now have a range of case examples in which collaborative attempts at dealing with conflict, such as mediation, conciliation, some forms of arbitration, negotiation, collaborative problem solving, and facilitation have been used and have been successful in interpersonal (marriage and family disputes), neighborhood, community, organizational, racial, environmental, regional, state, national, and international conflicts. These range from the Camp David Accords to the agreement that the U.N. environmental agency obtained several months ago on the limitation of fluorocarbon production. This was not very well noted but is a wonderful example of mediation by the head of the U.N. environmental agency. Other case examples include the hoped for IMF treaty that has been starting and stopping, negotiating and not negotiating, for quite some time and, hopefully, the institution of a truly mediated peace process in Central America. This, I understand, has been a concern to some journalists in the last couple of days, always looking for a good conflict (even if it is between the Speaker and the White House) to keep things moving.

I see many, many examples in all of these areas and growth in most of them—in environmental mediation and interpersonal mediation, particularly peer mediation programs in the schools. Many public school systems are training children, as young as fifth graders, to be mediators and resolve disputes. In some schools the kids wear t-shirts saying

“conflict manager.” They intervene and stop fights on the playground, then bring the disputants into the classroom where they are asked what they could have done instead of hitting each other. In other words, standard mediation training techniques work for children too. In fact, in Harrisonburg, Virginia, they have begun that kind of training with fifth graders and beyond. Harrisonburg has another example of what is happening in the field—the oldest community mediation center in the state.

We need to look at other levels also. De Tocqueville would be mightily pleased because he said—you remember in his visit to the United States 150 years ago or so—that the Americans have an incredible propensity to form voluntary associations for just about anything. And so we now have a wonderful alphabet soup cooked in this field in recent years. We have COPRED, NIDR, SPIDR, FRDR, NCPDR, NACJ, NAME, and others standing variously for institutions like the Consortium on Peace Research, Education, and Development and the National Conference on Peacemaking and Conflict Resolution—both here now at George Mason along with the Conflict Clinic and the Center; the National Institute for Dispute Resolution; the Society for Professionals in Dispute Resolution; plus the Federal Mediation Service and the Community Relations Service; state offices of mediation in at least ten states; and now, of course, the United States Institute of Peace, which has been operating since early in 1986.

Not only do we have the alphabet soup of organizations, we have the alphabet soup of concepts as well. We now have Neg-Reg, which stands for negotiated regulation and rule making. We have rent-a-judge and minitrials, as some of you know. I was telling a story to a group that included a young lawyer from Chicago a couple of years ago talking about minitrials and rent-a-judge, and she looked very puzzled and said, “That’s funny, in Chicago we call that buy-a-judge.” Our conceptual alphabet soup also includes LULUs and NIMBYs—LULUs are “locally unacceptable land uses” that now often get mediated, and NIMBYs are “not in my backyard.” You know what I mean—we need a site in Virginia for toxic waste and other things that this society needs to have, but do not put it in my backyard!

Truly, indeed, it is also a growth industry on the academic level, in research and scholarship as well as in practice. Study centers are growing. One of the first of them was the Program on Negotiation at Harvard Law School. Now, in addition to Harvard, there are what we call the Hewlett Foundation “Gang of Nine” with major multiyear grant programs at eight institutions, which are developing academic theory

centers on conflict and conflict resolution. And, of course, George Mason is among them along with Syracuse, Rutgers, Michigan, Minnesota, Hawaii, Colorado, and Georgia Tech.

Conflict Resolution

As my friend and colleague, Roger Fisher, the coauthor of *Getting to Yes*, says, conflict resolution is indeed a growth industry. We are right on the wave of that growth. We do not have to spend much time stimulating conflict; it is there, and the growth industry responds quickly. I do not believe that conflict resolution *per se* is new. As President Johnson mentioned, it is significant that a major university now has decided to put those very words, “conflict resolution,” in its curricular offerings. But in many ways it really is new—a more intentional and systematic application of techniques and approaches for dealing with human differences that have been around for a long time—consensus, cooperation, collaborative problem solving. A number of years ago Anselm Straus wrote that all of society is a “negotiated order” and that unless you are capable of getting all you want all the time, you had better learn how to negotiate. In fact, things will work better if you can negotiate in a cooperative and constructive way, because doing so preserves relationships as well as helps you get some of the things you want.

As with any movement, we have to put in certain precautions at the beginning. In my view, conflict resolution *is not* quite a few things also. It is not snake oil. It is not a panacea that you can use for every kind of situation. Rather, it is another useful tool. I think it is an especially useful way of thinking about differences and how one approaches conflict.

Conflict resolution is not arbitration. It is not binding; it does not issue an answer from somewhere. It assists the parties in finding their own best answer. Conflict resolution, particularly in the form of mediated problem solving, is not an alternative or parallel government, but rather an adjunct to normal government activity, which may indeed help build consensus and work through political problems before one gets to the final voting arena. Furthermore, this field is not simply an alternative to litigation (although it often serves that purpose), for really constructive conflict resolution has a positive set of values. It is not just an alternative to something else but has its own values that differ from those of litigation and other approaches. It places a heavy emphasis on cooperation among the parties and on finding inexpensive, quick ways of resolving conflict with easy access to the system. It is a method that tries to promote jointly determined, win-win outcomes, that leaves the

conflict in the hands of the parties instead of turning it over to a judge or an arbitrator. So there are some very positive values that underlie this field.

A word more about what conflict resolution is. You have to look at the phenomenon of social conflict first. I think as with the common people, God must also have loved conflict. He/She/They created so much of it. Conflict is everywhere. We do not have to create it to have something to do. There are a number of definitions of conflict one can use. I prefer to talk about conflict as escalated competition—normal competition that is going on between two or more parties who are competing over access to scarce resources or power or equal rewards. The aim of the parties is always to gain advantage in some form over the other party, who they generally believe to have mutually incompatible goals. Conflict is not chaos. It is not the opposite of order, although we tend sometimes to think of it in that way, especially in the public media. Moreover, conflict has patterns and stages, and because of that we are able to study it. We are able to predict what might happen in a conflict situation and, thus, we are able to attempt mediation and other forms of intervention.

One has to accept the notion that there is a phenomenon out there called conflict—and may I say such acceptance is awfully hard for parties in conflict who are simply into a kind of bilateral “bashing.” It is often supremely hard to realize that this “plot” has occurred before in human history. Simply being able to define and analyze conflict and hold it out there for examination is a very important first step for many parties in conflict.

But one also must ask the question, if an important social phenomenon called conflict exists, what might one do about it? I want to leave with you one major notion tonight, among others, and that is that deciding to be involved in conflict resolution is a value choice, and it is only one choice you might make. Depending on where you stand on the social or political spectrum about a particular issue, you may, on the one hand, be involved in conflict agitation or creation because you think such action will surface some issues and make them so important that institutions will deal with them. On the other hand, you may be involved in conflict repression. You do not want even to see conflict because you are in charge of maintaining the status quo. You just wish it would go away.

I would argue that there is a whole range of variants of how one might approach conflict, between agitating, on one hand, and repressing it, on the other, depending on what your position is and what your

perceived interest is vis-a-vis that conflict. Some of those approaches “between” include resolution, conflict management, conflict regulation, or settlement, and may also include studying, teaching, or ignoring the conflict. All are standard ways of dealing with conflict. The range may also include conflict ritualization, which is a standard way of trying to deal with difficult situations. As I heard in a conference in Milwaukee last week, it may include conflict “mitigation.” Everybody there agreed that sounds too close to conflict litigation, of course. In fact, at that conference, one of our dear friends here at George Mason, Kenneth Boulding, was waxing eloquent about what he likes to do with conflict, saying, “I don’t know why we don’t call it conflict enjoyment. I’ve enjoyed wonderful conflict with my wife for 46 years.” Only those of you who know Kenneth—who has long been affiliated with the Center—would know his approach. That is a value choice also. The point is, conflict resolution is not just “wimpy” neutrals looking around trying to help folks. There are some specific values involved, some specific outcomes in mind, and some specific techniques. That is really the heart of what I wish to talk about tonight.

The goal of conflict resolution is some form of consensus decision making rather than voting or settlement by force or coercion. The two central techniques that are used have been variously called negotiation and mediation. Since I have been here, John Burton and I (and others) have been having wonderful, long discussions on whether those techniques or words are appropriate. By *negotiation* we mean the patterned exchange of information, ideas, and promises between two or more parties or representatives of parties who are trying to find a mutually satisfactory outcome to their problem or their conflict—an outcome that will stick and will not fall apart the next day. Mediation, then, is simply the intervention of a third party who facilitates or assists in that negotiation, problem solving, analytical procedure, or whatever it may be. A mediator has no power, unlike a judge or arbitrator, who does have powers to enforce a solution. A mediator has no power—only the power of goodwill and trust—and the ability to assist in this.

How does conflict resolution work? I will not bore you with a long and clever set of 14 steps, which most of you know. I would only emphasize (and I will do this more as I go on in the talk) that virtually all of the systems we are looking at—moving through identification of parties and issues, getting to the table, analyzing the conflict, trying to find ways for the parties to get out their identity statements so that they can get beyond that to talk about how they are going to negotiate, to mediate, or to solve their problem—virtually all of them initially focus

on what I consider to be a very important stage at the beginning and that is “creating the forum” or “getting to the table.”

Getting to “Yes” is great, but you cannot get to “Yes” unless you can get to the table. So the job that a lot of us are working on—particularly in areas of disputing where ways of dealing with conflict have not been regularized—is one of creating tables or creating forums. Where is the table? Under what kind of a situation? What kind of parties? What kind of leadership? What kind of protected environment? What would it take for parties, who have previously been disputing in conflictual and violent ways, to come to the same site and to move ahead in attempting to resolve their differences from there? We generally agree that if you can create a site and an appropriate atmosphere, and give leadership that stresses cooperative behavior (that is informal, analytic, that removes the need of the parties to play to the courts or to the media or even to their immediate constituencies, that if you can help create those kinds of situations) it often makes a great difference in moving people toward resolution.

One final comment on the field itself before moving to the concept of transformation. Although we are not yet a science (and maybe never will be), we have learned a number of lessons. One relates to getting to the table and building the forum.

The second is one that group dynamics scholars learned a long time ago—the distinction between process and task, and the need for parties, especially in a difficult dispute, to be able to create and own the process before they can create and own a solution or an outcome. As Gandhi and others very pointedly said, “Means are pregnant with ends.”

The third very important lesson we have learned about is that one of the key things that must happen if conflicts and violence are to move toward a jointly determined solution is that the parties have to find some third focus, some third thing to work on rather than one another. Conflicts can turn ad hominem so quickly and parties simply end up fighting one another instead of working on the issues or the initial problems. There are a number of ways to achieve that. In a number of disputes I have worked in (which have ranged from farmer/lender mediation to highway disputes to river water disputes in the Midwest), analysis of the problem is initially the “third” thing you find. You get the parties working on trying to understand what the problem is, who the parties are that have to be involved if the solution is to be found, what the issues are, what would be a better way of carrying on this disputing. To be able to do this provides a way for the parties to begin to find some joint activity to work on.

There was a fascinating discussion at the SPIDR conference in New York a couple of weeks ago. John Burton was one of the presenters there, and we were talking about conflict resolution in international affairs. What became quite clear was the key role of some “thing” that exists outside the parties—whether it is transcendent values, as when religious leaders intervene in conflicts, or whether it is a common base in such human needs as identity, recognition, and security. It is true in virtually every conflict that I have ever experienced (regardless of how severe or nonsevere), that until the parties can find some way of thinking about either transcendent issues or deeply rooted issues, rather than simply about one another, one does not move along very rapidly.

We have learned other lessons as well. Over the last ten years, important linkages have been made between conflict resolution and the field of peace, or peacemaking. In the early days of testifying for creation of a peace academy, I recall that one of the things that senators and their staffs responded to most readily was the notion that conflict resolution or mediation could be seen as part of the method for achieving peace. As senator Jennings Randolph said for so many years, we have to do something other than love peace to death. That idea is pretty hard to sell and pretty hard to learn, although it is possible to do so. Linking the notion of conflict resolution techniques to the goal of peace and to the peace-making process has been a great step forward for us. From Roger Fisher and others we also have learned such things as using a single negotiating text. The Camp David Accords are said to be the 23rd draft of the first piece of paper that staffs put in front of Sadat and Begin. This required staff work to uncover areas of consensus and develop a joint document, which allowed the parties to spend their time refining that document together. Again, the need for a “third” thing rather than fighting over positions.

In terms of lessons we have learned from the field, we find it very important to separate inventing new ideas from deciding. The second track diplomacy workshops that John McDonald and others have pioneered, the problem-solving international workshops that John Burton, Herbert Kelman, and others pioneered, are excellent examples of this. Such workshops move parties away from simply re-presenting their positions so that everything they said is challenged to a forum where ideas are analyzed and reanalyzed in a search for common ground.

At the Conflict Clinic, we organized a workshop for President Carter a couple of years ago on the future of tobacco in the United States. We brought together 15 tobacco advocates (southern secretaries of Agriculture, representatives of the tobacco industry), and 15 health

advocates (health professionals and folks from the Hill) to look at ways to develop a common direction on this particularly difficult issue. We worked on a number of things, and the “docs” and the “farmers” (as we came to call the two groups) came to see that they had a lot in common and that they could understand one another, in spite of their different training and different language. They then began working on the questions, “What do you do if tobacco is outlawed? What do you do with the 580,000 families who make their living on family-sized tobacco farms?” One of the mediation groups we had created put their small group into a very specific brainstorming session where every idea can come out without evaluating any of them until you get to the end. On those two questions they produced 28 ideas before the ten persons in that small group had exhausted their creativity. The facilitator ran the process very strictly. Of course, the more assertive members often want to jump in and talk about every idea, but he kept them from doing that. He extracted every idea. When they decided to rank the best ideas, the three best were from the last five on the initial list. Which is to say, if you can follow the principle of withholding decision—go slow to go fast, as we say, spend more time on analysis and brainstorming instead of jumping immediately to debating answers—you often can come up jointly with better answers. Frankly, it is a great thing for the people involved to be able to do that.

Finally, on that question of what lessons we have learned from the field so far, a major lesson has to do with the ability of such settings to transform pessimism and hopelessness about conflict and violence into optimism and hope that solutions can be found.

This is, indeed, exactly what we are about here at George Mason. We have a wonderful university, a wonderful context to work in, a great group of graduate students, some wonderful supporters, and a state that has one of the best laws in the country for annexation of mediation programs allowing municipalities and unincorporated areas the opportunity to mediate their disputes, thereby avoiding costly and adversarial litigation.

In this state we are blessed with both the great resolver or writer of resolutions who caught and synthesized the growing consensus of the group. He was the founder of the state university in middle Virginia, Mr. Jefferson; and the other, our namesake, Mr. Mason, who caught the essence of the transcendent vision, the deep commitments to principle required if real *resolution* is to take place. In the 15th Article of the Virginia Declaration of Rights in 1776, Mason wrote that free government and the blessing of liberty can only be preserved by “a firm

adherence to justice, moderation, temperance, frugality, and virtue.” With forebears like these, and with the vision and support of this university and our location in this area, we simply plan to be at the forefront of the development of this field.

A further word about the concept of resolution and what it means to try to transform conflicts, since that is a major focus of what I am saying tonight. We have developed a mission statement for the Center for Conflict Resolution here at George Mason that focuses on the meaning of resolution in contrast to other ways of dealing with conflict. We say:

...conflict resolution refers to an analytical, problem-solving process in which parties or their representatives are helped to resolve their disputes by trained third parties. Conflicts are considered “resolved” when the parties, having analyzed their conflictual relationships, jointly develop agreements which satisfy their basic needs and values, and, therefore, are durable and require no external enforcement.

We think that real resolution deals with underlying problems and improves the relationship of the parties when it is seen by them to meet certain standards of fairness, social justice, and self-determination. That is a definition of what we think we are doing with the Center, and it relates to the notion of how one transforms social conflict.

Conflict Transformation

I now want to focus on the concept of transformation in social conflict as a useful way of looking at what happens when peacemaking proceeds. In every conflict that I have studied or mediated, a *qualitative* change seems to take place—a transformation in some *individual behaviors* of the parties that often leads to a transformation in the *relationship of the parties* and (if resolution is to take place) ultimately to a transformation in the *substantive issues and outcomes*.

An example of just how a transformation can work is a three-day workshop involving four high-level Israelis and four high-level Palestinians that I was privileged to serve as a staff person. The first day or day and a half was standard theater for that sort of thing—long, loud, religious, moral, legalistic, absolutist, historical arguments about who was right and who was wrong. It went on and on, over and over again. They all had heard the arguments before from one another. We could have held up 3 x 5 cards, “Argument number seven.” “I’m responding with argument number five.” It was wholly positional, with charges and countercharges. At about the half-way point, it had all been gone through and the third parties had accepted it, listened to it, made a few

comments, asked them to try to figure out how each perceived the other party. At some point they had had enough, and they started coming to the realization that what they wanted was exactly what the other party wanted: identity, recognition, security, land, turf, a sense of peoplehood, some relationship with the spiritual. And once that recognition of deeper needs or interests took place, the joint work and the joint solution of ideas flowed out of it very quickly. I think anybody who has done any active mediation can say that this is one of the most important lessons we learn in attempting to transform social conflicts.

Transformation can take place if you can create the right kind of environment and then help people break away from simply debating issues and positions and on to deeper issues, thus moving them from positions to needs.

So what is transformation? How does it work? How can it be promoted in the positive pursuit of conflict? Concepts of change or transformation are, of course, part of every culture. Virtually every framework or discipline in Western culture has such a concept or language. Technically, transformation means “to change form” as with a transformer that deals with electrical current. I take it to mean a qualitative change that takes place following an accumulation of smaller changes through time, but it is *not* just a process of accumulation or an extension of the same data or ordering of data. It is a new frame for viewing; a different set of categories. A changed sense of what is real and what is possible. Thomas Kuhn’s description of the paradigm shift in the structure of scientific revolutions is an excellent example.

Reflect with me on names we have attached to this kind of phenomenon of transformation in the discipline where we work. In religion—conversion or redemption; in politics—revolution; in medicine—healing, particularly, miraculous healing; in psychology (at least one end of psychology)—self-actualization; or in others—Gestalt or the development of identity out of alienation; in philosophy—synthesis created out of antithesis interacting with the early thesis; in biology—metamorphism; in religion again—a leap of faith; in liberation theology—the movement from slavery to freedom, which is a qualitative change in who can be a person; or the concept of a miracle; or the notion of apocalypse. We have it throughout our literature.

In conflicts I see an accumulation of changes that ultimately result in those that are moving towards successful resolution in the following ways:

- moving from one place to another;
- finding a joint focus, which includes defining the problem, analyzing the issues, and seeking objective criteria;
- redirecting, creating, or fueling energy for problem solving and looking ahead instead of back;
- recognizing that “I don’t have to continue spending so much negative energy on the other party or parties anymore. We can join together and, in fact, use positive energy to work on finding creative solutions to our difficulties”—and feel better.

I see a sequence of transformations in the conflict resolution process. First of all, transformations in individual behavior involve trying new behaviors by:

- asking questions or seeking information instead of giving answers;
- offering information without being asked is a transformation that can be the beginning of trust;
- listening;
- presenting and analyzing affect in a new mode (that is to say, rather than just spewing it out, being able to think about it and analyze it and put it in some new context);
- showing vulnerability;
- listening;
- analyzing;
- listening;
- suspending judgment;
- forgiving. This may be difficult to speak about in an academic setting, yet, I think I can identify forgiveness in most conflicts in which I have been involved.

Second, there is a transformation of the process. The parties change from identity statements, which include answers, accusations, negative energy, and breast-beating, to a joint searching in a cooperative and analytical fashion—with the emphasis on creativity. Once this transformation takes place, a third transformation can occur—a critical mass of changed individual behaviors results in optimism that a solution

can be created. Fourth, and finally, a transformation ultimately of the substance of the issues and positions themselves—what most people call the solution to the conflict. This often requires redistribution of resources, recognition (or at least acceptance) of common needs and a sharing of power. It is necessary, therefore, that the parties create and own the process before they can create and own the outcome.

I like working in conflict resolution because it is a creative process. You literally create something that was not there before. Solutions to problems are created that did not exist before in the universe and that the parties did not believe could exist. To be sure, some of my social science colleagues here tonight are wondering whether Laue has backslid from a major tenet of the social science faith—that behavior change and social structures are better predictors and points of intervention than individual attitudes. They may wonder whether I have moved from system change to saving souls with this description of transformation. I do not think so. Because the key variable in getting at least this kind of overt behavior change in the presence of the opponent, remains creating the right structure, creating the right forum in which people can be cooperative, analytical, informed, accepting, and protected.

I have already spoken to you about the role of third parties in attempting to create those kinds of forums. Let me suggest to you a story (which they say in the field is indeed true) about the importance of creating the right forum or creating the right table. The story is told of a mediation that was to take place in an old ethnic neighborhood in New York. It was between neighbors and storeowners. They arrived at the table and the mediator (who was a good WASP) described what was going to happen, thusly: “This is not a judgmental process, we are going to listen, we are going to share, we are going to try and analyze. We are going to see what the problem is.” The parties started out and at one point one of the parties broke into Yiddish and the good Anglo mediator sat there smiling, having set the table and gotten them into the protective environment, smiling and watching things and observing and (sort of) approving. The other party responded in Yiddish. The volume rose and rose and rose and they stood and they pounded on the table, and they accused and they pointed, and then after awhile a peak went over. They had expressed what they needed to say. Still, all the while in Yiddish, they came to what obviously was some sort of agreement and they shook hands and started smiling and as they were going out the door, one of them turned to the mediator, who was still there, and said, “Oh, thank you so much for all your help.” The point is, the help was getting the parties to that table. The help was creating a forum in which they could do a new kind of disputing. You would have to call that the

weaker mediator role rather than the stronger role that some of us are used to playing.

One other point I would make on the relationship between some process other than simple flat-level bargaining and other kinds of values, such as justice or human needs. I am very fond of the first chapter of Isaiah. President Lyndon B. Johnson was also fond of that chapter. He would say—I think this comes from the 18th verse of the first chapter—“Come, let us reason together” as a way of dealing with conflicts.

I often felt that had I been next to him, I could have felt his thumb digging into my clavicle as he was saying, “Come, let us reason together.” This worked all right for him in domestic affairs, but he did run a bit afoul in international affairs, as you will recall. I think it was maybe because he did not look at the full import of that message. All of you who have studied religion can remember what happens first in that book. It is a description by the prophet of how bad Israel had been. “Your cities are in flames, you are hurting people, you are killing people, I despise the noise of your solemn assemblies. Don’t bring me any more fatted calves and rams to sacrifice to me.” It was a terrible description by an urban sociologist from the Old Testament of what had happened to some of those cities. And then the prophet says, “But you need to do several things. First you need to repent. Then what you need to do is to start to do justice. You need to clothe the naked and heal the sick, and free the imprisoned and then once you recognize those injustices and repent and start to do something about them, then,” said the Lord, “Come, let us reason together.” So the point is reasoning together. That is to say that mediation or any other communication gimmicks we might develop, in and of themselves, are nothing more than gimmicks (either for solidifying one position or for doing in the other’s position) unless they are in a context of concern for basic human needs and justice.

Challenges to the Field

Let me close by issuing some challenges to all of us who work in this field. Challenges that come from, as I have suggested before, the ravages of success that we have enjoyed in becoming a growing field, with all the problems that go with that. There are two levels of challenge, one conceptual and intellectual, the other professional and practical. On the conceptual/intellectual challenge level, the whole question of the breadth, unity, and scope of this field of conflict resolution is very important. Is there much applicability across types of conflicts from system to system? People will ask, “What do divorce mediation and Camp David have in common? We do not see it.” People working in the field will reply, “Well, lots of things are common if you look at the role

of mediator, finding the right site, making certain commitments, making certain moves, etc.” But it is a very important and open question.

A second issue or challenging area is one I have mentioned before and is the exciting research question of how one creates the right forum (or table) in which to put disputes that seem to have no cooperative outlet. An example that I mentioned earlier involves searching for the table in the Central American peace process. Who would be an appropriate convener to bring all of the parties together? In whom would those parties invest enough trust so that they would come together in an environment which is protected, informal, analytical, cooperative, and problem-oriented? Which parties should be there? What kind of a site? What kind of a staff would such a person or persons need? What would be the role of other interested parties, particularly the U.S. government, Cuba, Mexico, and the U.S.S.R.? How would you create that environment?

I saw a Contra leader being interviewed from Miami on television Friday morning and he was asked, “What do you think of Cardinal Obando being a negotiator in this situation?” The Contra replied with a very instructive response, “Oh, he is not a negotiator. He is a mediator.” And I thought, surely if the parties desperately embroiled in the disputes can understand the difference between attempting to play a role as a negotiator and playing a role as a mediator, surely it can be understood by our citizenry, by our government, as we all observe such conflicts.

A third important challenge relates to the question of the ability of third parties to continue to maintain the integrity of their practice as the field becomes more and more bureaucratized. I was participating in an ethics workshop a couple of years ago in Colorado and asked a divorce mediator why she made a particular intervention at a given point in a divorce mediation she had described to us. She thought for awhile and finally said, “Well, the real reason that I did it was because in my agency we are supposed to spend just two and a half hours on each mediation.” Her answer led to exactly the right issue. “You mean that kind of bureaucratic practice standard is what determines the kind of intervention you as a professional mediator must make?” This is a very difficult problem, especially as we get into more government-mandated mediation of one sort or another.

Another very important intellectual challenge is our ability as people working in this field to keep open our own analytical frameworks. Reframing, as we preach it in the field, is for disputants. John Burton asks whether analyzing the Middle East situation as “international” conflict makes sense at all. Rather John says it is an interreligious,

intercommunal, interethnic, interidentity conflict that has been going on for perhaps 3,000 years or more, sometimes within these national borders, sometimes within those national borders—but the issue is much deeper than an “international” dispute per se.

Always major issues on the intellectual side to me are power and co-optation. From the very earliest days of the field the concern has been that persons who wish to promote the status quo might only see this as a little softer way of trying to get what they want. We have some data, particularly from environmental mediation, that suggest that this might be true.

There are some professional and practical issues in the field that all of us will be working on for the next ten years. One is the question of training and development of practitioners. And the question is, who? With what kind of proclivities or orientations? How would you select them? What kind of quality control? How long should the training itself be? Some folks can get a certificate in twenty hours, some in forty—maybe if you do it in California (and pay more) you get a frame for it. I am not completely against certification, although I understand my old state Missouri (along with Utah) is the biggest diploma-mill. However, that kind of question, of what kind of training and certification for practitioners, is important.

A related issue is: when do you use professionals in mediation or conflict resolution and when do you use volunteers? Most of the 300 or 400 neighborhood dispute centers operating around the country who deal with neighborhood or inter-familial disputes use volunteer mediators from the neighborhood. Virtually all of the hundreds of mediators in Iowa, working in Iowa Farmer Credit Mediation Service and mediating thousands of farm credit disputes a year, are volunteers.

A final professional question I would raise is whether there is a way to keep the development of this field as much need-driven as it is market-driven? What are the major growth areas of the field now? I think as I have suggested before some of those areas—such as divorce mediation, toxic waste clean-up and environmental mediation—flourish where there is money to pay. That is great, but what about poor and troubled families or community organizations who would be much more effective in the neighborhoods if they had these new kinds of services open to them? I once sat in on a workshop on how to be a successful mediator in private practice. I heard a lot of good techniques. I was very pleased until I heard, “Your job in building your organization is to take market share away from those other organizations.” I said, “Wait a minute, that is not what the values of this field are about.” If we do not

stay true to the values of sharing and cooperation—of giving things away because they will come back to you—we will end up as bureaucratized and stodgy as virtually every other field that we have known.

Conclusions

I am going to close with two of my favorite short stories. Some people call them war stories. I call them peace stories. I am often asked, “What are the special characteristics that suit a person to be a good mediator or a good peacemaker?” Obviously they include:

- personal security and ego strength;
- flexibility—if the parties are going one way, you can’t say, “Well, wait a minute. This is the way it should be solved” or, “I have a better answer because I have studied it longer than you have”—you have to be flexible;
- ability to delay or to deny gratification—you cannot tell the right answer as soon as you know it;
- mood control;
- explicit values regarding open, democratic processes and the rights of all persons;
- physical and emotional stamina—24, 36 hours in a row, marathon mediations that are required to meet a deadline; and
- enjoyment of differences, which requires not being frightened by differences.

There are two other ways that I have tried to characterize the attributes of a good peacemaker or mediator that may be more memorable than this listing. They have to do with Garrison Keillor and an anatomy lesson. I was doing a commentary for the St. Louis outlet of National Public Radio for six months last spring, called “The Subject Is Peacemaking.” Each week I would take an item of conflict that was in the news and show how mediation and peacemaking techniques might be applied. To help me through the grieving process of Keillor going to Denmark and changing from live to tape on Saturday night, I did a commentary as he was leaving on “Garrison Keillor the Peacemaker” and I said, “He exudes peacemaking as far as I am concerned.” Let me tell you why I think so. First, he tells stories, and peacemakers tell stories. In fact, that is how joint identities are created, by telling and then rehearsing and retelling those stories of things as they are done together. Second, he uses humor. Obviously, peacemakers do that. Third, he has great endurance, and Lake Wobegoners have great endurance, with the long cold winters, the same boring stories.

But most of all, Garrison Keillor talks “Minnesotan” and that is a very important characteristic of a peacemaker as far as I am concerned. One of the examples he used in training people to talk Minnesotan was: you go to your neighbor’s house, and the pipe is broken, and water is flooding the basement, and you stand there trying to figure out what to do. What would you do? As a good administrator you might say, “Turn it off quickly. Go turn it off.” Or, “Do this...” or “Call somebody to fix it.” But when you talk good Minnesotan, you say, “You know, if a fellow would sort of walk over to that wall there. You see that little handle right there? If a fellow would kind of walk over there, maybe turn it—it might be right, it might be left—just turn it. That kind of might help us in this situation. What do you think?” And he would discuss it for a while, and if you agree that is a good thing to do you say, “You bet.” Which means (sort of), “Amen, let’s do it. That’s a good idea.” You see how different that is from simply issuing a fiat or calling some technical assistant to help you?

A student zinged me with this last summer when he rose and did a routine, which he called the “If a Fellow Mediator.” He went around saying, “Well, if a fellow would do so and so, if a fellow would do that.” But, that is a way mediators do it. You do not use orders and you do not say, “Here is the answer.” You do not say, “Go get that technical system.” You sort of say, “Well, what do you think about that? I heard you saying if that were to work, what do you think about that?” So the “If a Fellow School of Mediation” is one way of remembering what we think we do in this field.

Finally, the anatomy lesson. I was once asked to describe the anatomy of a peacemaker or mediator. After inhibiting the first four or five responses that came to mind, I suggested the following characteristics that will help you recognize the anatomy of a mediator:

- a hard head, thick skin, and big feet. You are in the middle, you are going to get pushed around a bit, you are going to get scapegoated. Negative affect, which the parties are really directing at someone else, is going to come at you instead.
- a warm heart. You have to have the empathy to get the feelings and the tone and the real grief and hurt and pain that is coming through from the parties, to get that into a warm heart to really be able to hear it.
- big ears and a small mouth. This is very hard, especially for those of us who are academically trained.
- clear eyes, any size or shape is fine.

- a cast iron backside is very important. You will sit for a long, long time.
- a big bladder is very important because you never want to have to leave the meeting for other than specifically strategic reasons.
- an ego container. The most important part of the anatomy of a peacemaker of all is the ego container. I do not know exactly where it fits, but I think that you must have your own sense of who you are and recognize that it is the party's dispute and not yours and that it is the parties that need to have the achievement and get the glory for it, and not you. (People who need to know will find out eventually who helped "get things done.") Unless you are able to see yourself as a real servant of the parties, a servant of the process and a servant of fairness and justice—unless the ego container can help you out with that, you will not get far as a mediator.

If we hold to these values at George Mason University and in the field, we shall have made an important contribution to the advance of knowledge and more importantly, to the advance of the rights and fulfillment of all people everywhere, and that is really what I think all of us are about.

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