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Kevin Hearn

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ADR Bulletin

Global influence in mediation evolution

Boundaries, flows and mediation

Kevin Hearn

As globalisation intensifies, we find ourselves increasingly in a world of 'flows'.[1] Ongoing circulation of information, money, technologies and images around the globe for example, are rendering boundaries of various kinds increasingly transparent. This is creating new kinds of global and local issues which require an interdisciplinary approach from scholars, including scholars of conflict resolution. When modernity emerged 500 years ago, science displaced theology as the highest form of knowledge.[2] Since the 1980s, the presumption of a hierarchy of knowledge has been problematised, as knowledge boundaries are seen increasingly as characterised by a certain fluidity; a certain porosity.[3] The first section of this article seeks to clarify what living in a world of flows may involve. The second part focuses on mediation theory-building in such a world. The article concludes with a brief comment on how the foregoing may be relevant to mediation as it emerges as a profession in its own right.

Living in a world of flows

Since the 1980s certain trends have been accelerating but at the same time, remained problematic. Ecology has come to the fore of consciousness with profound implications for life on this planet, from the individual up to global communities.[4] 'Identity politics'[5] has emerged whereby formerly solid blocs of voters have transformed into fluid configurations which are constantly mapped by pollsters. The term 'mainstream religion' is losing currency as former adherents increasingly prefer to follow 'individual pathways to sacred meaning'[6] or to join fundamentalist churches. Where are the changes of these globalising or transforming times leading? Conceptualising such changes is an ongoing task of scholars around the world. One way of appreciating the changes may be by understanding the solidus, which indicates alternatives such as natural/cultural, liberal/conservative/radical and sacred/secular, as something that is not quite as solid as has been assumed. Perhaps it is a boundary which separates entities, that are not quite so separate and distinct as we have been lead to believe. The remainder of this section seeks to explicate this appreciation in terms relevant to conflict resolution.

Each person in conflict may be conceptualised as 'self'. Despite thousands of years of refining by philosophers and the results of thousands of empirical studies by social scientists, 'self' remains a highly contested concept.[7] An assumption now made is that this will always be the case. Conceptualising can only point us in a certain direction. When we arrive, we are confronted with living or vital energy. Language can never actually capture this aliveness which is revealed only 'under the most ambiguous guise'.[8] Conceptualising involves imagining that the flow has frozen.[9]

An unfortunate development, especially in Western thinking, has been to believe that the flow has stopped. This has resulted in a kind of blindness which may be illustrated by an Eastern saying: when the sage points to the moon (reality), all the idiot sees is the finger (the concept).[10] This blindness may cause people to over-identify with a certain concept of self. However, as this begins to occur, people start losing awareness of the 'moon' and take on the role of the 'idiot'. They may become compulsively attached to a certain 'finger' and this can have adverse, sometimes dire, consequences for in some cases, the 'finger' is used to 'gouge eyes out'![11] For this to occur, the solidus separating self/other has to become rigid, impenetrable and inviolable. The problems, the evils, the threats are concealed – on the other side of the solidus. The consequences of such over-identification are adverse; that is, likely to lead to destructive conflict, sometimes as dire as 'gouging eyes out' implies.

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A fairly common example of over-identifying in these globalising or transforming times may be called Uncertain-Self. According to Uncertain-Self, we are living in times of 'manufactured uncertainty'.[12] This is not something we can repair for it is something we create and create 'ever anew and in bigger quantities and create through our attempts to repair it'.[13] This does not mean that we live in times when things are undecided. It means not a state of indecision but the impossibility of achieving any substantial social coherence, as there is no longer any possibility of traditions emerging which are capable of engendering universal or near-universal trust.[14]

A contrasting example may be called Consumer-Self. According to Consumer-Self, these so called uncertain times represent the end of uncertainty insofar as people are finally realising that market forces are the inevitable shapers of this so called world of flows.[15] People are coming to understand that you get what you work for and if it's free it's not worth having.[16] In this world of consumption, it is not so much goods, services, ideas and images that are consumed; it is *difference;* and the desire for difference is unending.[17] If a class society still exists, there are just two classes; consumers and flawed consumers.[18] Members of the latter class need capacity building so they can participate actively in the economy (or community of consumers) instead of being passive recipients of welfare benefits.[19]

A third contemporary example may be called Fundamentalist (religious)-Self, found in countries with very different traditions, including the US, Iran, India and Israel[20] as well as Australia.[21] According to this version of self, the goal in life is to find the one genuine spiritual pathway which is for some, Islam; for others, Christianity; or Judaism; or Hinduism; or that proclaimed by some other religious institution. The 'enemy' may be identified as 'secularism' or 'relativism' or 'liberal' attitudes which are destroying 'family values'; perhaps 'modernisation' or 'Westernisation' (in non-Western countries).[22] Sometimes such groups organise politically in non-violent ways;[23] sometimes groups conduct violent holy wars.[24]

Such briefly outlined examples are a kind of caricature. A real live human is too complex, subtle and blended to be captured into words. The energy making a human a 'real live' one is free-flowing but connecting, ultimately, to all that exists – at least that is the assumption from an ecological perspective.[25] Mediation, to be effective in these globalising or transforming times, needs to be supported by theory-building which engages with notions of 'flow' and 'boundary'.

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Mediation theory-building in a world of flows

Mediation is being understood as a process where two or more parties in conflict seek an impartial third party, a mediator, to facilitate a more focused discussion which assists the parties to identify their interests and negotiate their own agreement.[26] Such a description implies that a mediator has competence in regard to:

- an intellectual appreciation of conflict and conflict resolution;
- verbal skills, such as paraphrasing and transitioning between the parties' interests, which depend on identifying various cues used by parties in their unique communication style.

However, most practitioners would probably agree that there is a third aspect to competent practice. Perhaps one could say it is manifested in a certain calm detachment; maybe akin to what Lyotard calls 'incredulity' towards any all-encompassing or know-it-all explanation.[27] It may be sensed as a kind of energy; possibly what Boff calls 'vital energy'.[28] It may involve what Nouwen, McNeil and Morrison call 'being present' to one's surroundings.[29] Wittgenstein reminds us: 'there are, indeed, things that cannot be put into words'.[30]

To make sense of conflict in this world (thisworld) we do need words. A world where dialogue 'goes beyond speech'[31] (where is flows) may be called an otherworld. A key challenge for mediation theory-builders in this twenty-first century is to engage with the notion of dialogue across a thisworld/otherworld boundary. Initially this would seem to require a willingness to be open to the idea that an otherworld exists.

As regards an intellectual appreciation of conflict and conflict resolution, it may be appropriate to suggest that credible mediation theory-building nowadays acknowledges:

- The presumption of a hierarchy of knowledge has become deeply problematic.
- Knowledge boundaries are probably permeable in ways that could be described as not-yet-known in a rational-analytic sense.
- Understandings of conflict and conflict resolution drawn from a variety of academic disciplines and from expertise beyond the academy have become crucially important.

Effective mediation theory-building in a world of flows would seem to require confidence in explicating:

- dialogue through the solidus;
- how such dialogue may be nurtured;

- the struggle to restore it when it has been silenced. Ideally this is part of theory-building in a variety of professions, one of which in the future may be called 'mediation'.

Mediation – An emerging profession?

One of the advantages which mediation may be said to have at present, as far as practitioners are concerned, is that it does *not* operate as a conventional profession. Mediation, at least in Australia, is described as

> … a small but highly diverse area of practice that falls within many industries. For many organisations and practitioners, mediation is an 'add-on' area of activity rather than core business …[32]

Such a configuration may be seen as appropriate for living in a world of flows in that it avoids exposure to yet more 'institutional narratives'[33] which would almost certainly be issuing from a profession called 'mediation', developing traditions and ideas and shaping the actions of practitioners. In other words, yet another version of self may be appropriated through a process of over-identification thus limiting capacity to dialogue through the solidus.

Mediation as a more social movement, in an 'emancipatory' sense,[34] and less conventional profession may be a useful way to think about this practice in the twenty-first century. Social movements are usually understood as mobilisations *against* something;[35] for example, fascism (against democracy), the peace movement (against war), and fundamentalist religion (against secularism). Touraine prefers to speak of 'social movement' (in the singular) and conceptualises this as resistance to what he calls an ever present tendency to program society.[36] If Touraine's interpretation is modified by removing 'resistance to' and inserting 'dialogue with', social movement may then be conceptualised as a dialogical process but without advocating any particular cultural model.

However perhaps Alexander is right when she says that mediation is showing all the signs of developing into a conventional profession.[37] If this is occurring an encouraging sign would be an increasing number of articles in journals such as the *ADR Bulletin* which are informed by various disciplines. A concluding assumption is that interdisciplinary understandings of conflict and conflict resolution are of crucial importance not just for mediation theory-building but for the survival of everything on this planet that breaths.

Summing up

When modernity emerged 500 years ago, science displaced theology as the highest form of knowledge. Since the 1980s, the presumption of a hierarchy of knowledge has been problematic, as boundaries between versions of knowledge are seen increasingly as characterised by a certain amount of fluidity. Interdisciplinary understandings are rendering formerly rigidly constructed alternatives deeply problematic. An implication for mediation theory-builders is that opportunities now exist for exploring the notion of dialogue that goes beyond speech. This may lead to new ways of thinking about conflict and conflict resolution.

Each person in conflict may be conceptualised as 'self'. In a world of flows conceptualising the 'continually new self' remains essential. Appropriating certain versions of self and incorporating them into various institutional narratives with adverse, sometimes dire, consequences will probably continue but may be mitigated by means of dialogue through the solidus.

If mediation is emerging as a profession in its own right, twenty-first century mediators may need to embrace an interdisciplinary approach by seeking insights from a variety of academic disciplines and from expertise beyond the academy. Ideally, mediation is emerging also as a social movement wherein participants engage in work at borders and boundaries of various kinds while being conscious of an otherworld beyond thisworld; beyond a world of words. ❖

Kevin Hearn is a mediator with the Dispute Resolution Centre in Rockhampton and conducts conflict management training. He can be contacted at hlaurie2003@yahoo.com.au.

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