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**Conflict competency**

Tried, tested and traditional – holistic mediation practice

Michelle Brenner

What did society do before professions introduced competencies, drawing a line in the sand between the expert and the lay person? Is this automatically a safer society, a better society for drawing this line, for defining competent practice? Let us take three traditional cultures, the Japanese, the Hawaiian and the African, and see what they offer outside the recognised competencies for a peace-making professional practice.

In the healthcare industry there is a term known as evidence-based practice used to define an approach to decision-making that draws on the ‘best evidence available, in consultation with the patient, to decide upon the option which suits the patient best.’¹

Evidence-based practice sits across from empirical-based practice. The difference is in the experience as well as, possibly, the outcome: the experience for the patient and their relationship to the doctor’s decision-making; and the experience for the doctor and their relationship to their training, their knowledge base and their location of where the power lies — the power of hierarchy that ranks importance above irrelevance.

The word ‘competency’ has taken on a meaning in our culture that narrows its customary definition. Whereas once upon a time competency might have allowed for a variety of interactions, approaches and orientations, styles, characteristics and preferences, now in our work culture the word competency is narrowed to specific tick-the-box criteria. And although some may argue that the tick-the-box criteria is minimal competency, once a word has become technical then it is questionable as to how much room

there is for flexibility, contextual appreciation and imaginative initiation.

The power hidden in jargon

The use of language has passed through many academic streams. Linguistics, anthropology, literature, communications, philosophy, religion and politics have all aimed to understand, gain insight and provide salience to the reader and the writer. Language may be seen by some as information sharing, but language is much more than that. The insights, reflections and commentaries that sit within disciplines have been a way of making sense of life, a way of experiencing life.

Beauty can certainly be found in many a book. Since the insightful reflections of Michel Foucault, who spoke of power and knowledge being closely linked with hidden, taken for granted, use, we have a new approach to language. Besides language being a beautiful way of passing meaning and knowledge to all who access it, Foucault, a French philosopher and sociologist, suggested that words carry a power, a force, that is mistaken for ‘the truth’, and can carry with it practices of oppression and shame. We all know that words like ‘crazy’, ‘mad’ and ‘sick’ described what we might now term ‘angry’, ‘burnt-out’ and ‘depressed’. The former places someone outside society’s norms, whereas the latter grouping is within the scope of living a life. Language can be used to construct the social dignity of a person or construct the social shame of a person.

What did competency mean prior to the 1990s? It probably meant doing something well, a skill, having a



characteristic, a handle on something, know-how, an ability.

In the peace-making world that skill, that know-how, could have meant self-awareness, self-reflection, the ability to know oneself. It could have also meant the skill of being able to see the good in someone who is doing bad² and using this to build a relationship that can support peaceful happenings. It could have meant a conversationalist approach that didn't offer any structure to people but somehow offered a space, a time, a hope.

Having a profession creates a power base of privilege. What was once a perspective or a point of view becomes the way it is, a mainstream, the truth of what is, privileging some ways over other ways. And with privileging comes leaving some things out of the mainstream, out of the accepted ways, out of the picture.

Power doesn't have to function only as control. Power can function as freedom. Mediation, along with most social constructs, was born from the good side of life, the side of life that is about freedom of the soul to live in peace with others, in dignity. The law also came from the good side, as did education, medicine and psychiatry. What is obvious is that oppression is often experienced in all these professions, oppression in many forms, oppression that came somehow uninvited, quietly sneaking in when certainly most did not notice. Oppression is a sense of powerlessness, a gut feeling that takes away the power of choice, of action, of living a life.

The first to notice oppression is not the oppressors, they were the good guys creating good work; the first to notice oppression is the ones that see that human dignity is being discounted in favour of a rule, a regulation, a structure. This is what Foucault was talking about — the oppression of human dignity passes for reason.

Outside the box

So, let me digress from our competencies, and look beyond the mainstream ways of how mediation or peace-making is being practised and take a peep at other possibilities, tried, tested and traditional, but not necessarily 'modern conservative

competency-based practice' ways. The following cultural traditions offer ways of seeing and talking that have moved generations from pain to patience, from sadness to settledness, from single-mindedness to caring for others. These cultural ways of moving from one mindset to another have been tried and tested, have been passed down in story telling and habits of greeting. They are themselves taken for granted within their own cultures and taken for strangeness in others. I invite you to leave behind your local currency of what passes for competency in Australian style mediation, and take a journey to some far-away cultures to see how mediation or peace-making currency works within their own borders.

African perspective of life

There is a saying in Africa that every day is new and new means not had before. New means anticipation for difference, a reason for joy, something to look forward to. This way of looking at life, a new day presenting itself, recurring day after day, offers a faith in life that contributes to hope and happiness.

Africa is a large continent with variations of cultures, languages, religions and lifestyles. There are cities with music, education, transport and television, and there are villages with and without enough food, water and access to peaceful living. With the wide scope of possible experiences an African can have in their lives, there are some common features of thought. One of them is their way of talking about good happenings.

For African people no matter what their religious beliefs they all relate the same way to hearing news of pleasure:

Good is strong ... G-d is strong ...
Allah is strong ... Mawa is strong ...
I feel something good because this happened ...³

This way of talking does two things: it emphasis the good and places it outside of the happening, outside of a personal sense of power. It places good in a realm that transcends human power. 'Good is strong, I can see good is present and your good then becomes my good, because I see the good.' Good has a power that reaches beyond the happening. Whether it is the birth

of a child, a graduation from education or a new job that could be seen as a personal good; or whether it is a shared good that comes with a festive season, a community celebration, an ending of famine or war. Good is seen as having a presence that all can rejoice over and by seeing this good, hope is rejuvenated. This way of seeing good places it outside of personal belonging. Good spoken in this way transcends the incident or happening.

The other aspect that comes with this form of expressing life's happenings, is the awareness of the interconnectedness of life. By using language that captures good or happiness in a way that doesn't belong to one person but on the contrary exists outside of personal power, there is a focus on the links in life.

This way of talking found its way into South African politics when administered by Desmond Tutu and Nelson Mandela. *Ubuntu* — what affects you affects me, when you are happy I am happy, when I see you are distressed I am distressed — was the frame of reference for the Truth and Reconciliation Commission.⁴ In the introduction to Nelson Mandela's book, *No Easy Walk to Freedom*, Oliver Tambo writes:

Mandela is imprisoned not for his personal defiance of apartheid law but because he asserted the claims of a whole people living and dying under the most brutal system of race rule the world knows.⁵

In this phrase Mandela's life is connected to the lives of others. The deaths of others are felt by him. His brothers' and sisters' pain is his pain. The oppression he sees, he feels, he is part of. As a witness to life's experiences we also experience our lives. *Ubuntu* takes these experiences and gives them a place in language and in making sense of life.

Hawaiian perspective of life

There is a Hawaiian folk tale that tells the story of love's passion gone wrong, a story of a beautiful girl betrothed to a strong man whose suspicion of jealousy leaves 'his ears deaf, his eyes blind and his heart cold'.⁶ The man, Kauhi, attacks and



buries Kahala under heavy stones to put an end to his suspicion. A small bird known as Elepaio comes to help.

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Wisdom in Hawaii is knowing where goodness and kindness can be found, when it is hidden and how to prepare for it. Words such as forgiveness, healing, apology and introspection are part of the conceptual tools. These concepts ... are broader than active listening, reframing, summarising and problem-solving.

‘How can you help her? You are smaller and weaker by far than we’, said Kahala’s guardian owl.

‘I have *Ike pono*, the magic gift of vision, I can see into the hearts and minds of men.’

Elepaio then flies into the valley and lands on the shoulder of a man.

‘I am Elepaio’ he says, ‘I have *Ike pono*, the magic of special vision. From the distant ridge I could see you and I could see the goodness in your heart and the kindness in your thought.’

The story unfolds with the man saving Kahala. *Ike pono*, the magic of special vision, is a sense that Hawaiians have developed. It is an attunement to goodness and kindness that is highly valued in Hawaiian culture. This practising of the art of tuning into goodness and kindness continues today in spite of the modernisation of Hawaii.

It reflects the ideas that harmony is the right way of being with people, and that when this way is broken then we need to make it right.⁷ Being *pono* is being at peace, being right within oneself, being able to make peace within oneself. There are conditions that support this. Ceremonies, sacred prayers and practices have been passed down from generation to generation and have been part of the cultural tradition of peace-making for many centuries. Wisdom in Hawaii is knowing where goodness and kindness can be found, when it is hidden and how to prepare for it. Words such as forgiveness, healing, apology and introspection are part of the conceptual tools. These concepts — forgiveness, healing, apology and

summarising and problem-solving. They are broader because they include the emotional work of transcending hurt, pain and disappointment. They are broader because they include looking for goodness, looking within oneself to be sincere, to be kind, to be patient and to be considerate to the pacing of others’ journeys. They include prayer.

Japanese perspective of life

Learning the Japanese language means learning how *not* to speak as well as how to speak. Learning how not to finish someone else’s sentences, how to shift your head or grunt without saying a word and suck in air with a certain hesitation, are all part of the language of Japanese. This attention given to not speaking, to not looking for words to speak, is captured conceptually with Japanese art. The traditional ink painting, *Sumie*, takes the emptiness of the blank paper as being of value, of precious space that sits between, within or surrounding the ink that sweeps in its midst. This art is the way of the words in Japanese talking. Restraint in Japanese culture is pronounced as being a critical part of the harmony in life.⁸

In the early days of the occupation of Japan by America after WWII, a Status of Forces Agreement gave the Japanese the right to try American citizens for crimes committed against the Japanese. Here is a case that highlights the different expectations of competency in conflict:

The accident happened because the military had posted guards to prevent



the Japanese from picking up the brass castings. The guards, with nothing else to do, had invented a kind of game using the Japanese as pawns. Each day when artillery practice was over and the guards were posted, Japanese women would appear and start retrieving the brass casings. GI guards, using grenade launchers attached to the muzzles of their rifles, would lob these same shell casings at the Japanese, who ducked and scattered as the spent shell casings whistled overhead or thudded into the ground beside them. Girard, an overzealous participant in the 'game', hit the old woman between the shoulder blades, breaking her back and killing her.

This was a clear-cut case for the Status of Forces Agreement. Girard had to be tried by a Japanese court. The Americans were convinced that Girard would be crucified. As reported in the press Girard, instead of being contrite, acted more like a bantam rooster before a cockfight. He strutted and puffed out his chest, waved to the cameras, and clearly reveled in the limelight. Almost without exception, the American press fanned the flames of prejudice by exploiting the natural ignorance and fears of the American public. In a typically bipolar fashion, it was Us against Them.

The Japanese were dumbfounded. How do you respond to someone who hasn't the remotest notion of how to behave in court and makes a mockery of your most sacred institutions? Their considered decision, after observing Girard's behaviour during the trial and that of his counsel (who was also completely ignorant of either the importance or subtleties of intercultural relations) was to wash their hands of the entire affair by declaring the accused innocent, asking the United States Government to repatriate Girard and never permit him to set foot on Japanese soil again.⁹

The purpose of the Japanese trial was to bring together the accused, the court, the public and the injured parties with the intention of working together to settle things. Usually, in this setting, the government acts as a backdrop for the impact, consequences and significance of the crime. This setting creates an opportunity to play out the

full reality so that the accused can fully realise what he/she has done. This then usually leads to public repentance, an apology. 'In a word, the function of the trial is to place the crime in context and present it in such a way that the criminal must see and understand the consequences of his act.'¹⁰

Clearly in this example the lack of sincerity on the part of Girard, or even masked sorrow for the incident and the consequences, was unexpected by the Japanese. The ability to 'be sincere', to 'be kind', to 'be sorry', is part of the Japanese culture. Competency here includes being 'a good person'.¹¹

Conclusion

Restraint may not be a prized character trait in Australia, we may not be able to claim cultural heritage over apology and forgiveness as a social norm, goodness and kindness may not be seen as cherished developmental states of living together, but they are characteristics of being human that contribute to a rich experience of a good life. Competency is know-how. How far is our current know-how going to take us in providing ways and means for resolving conflict that include 'a good life'?

Evidence based clinical practice is an approach to decision making in which the clinician uses the best evidence available, in consultation with the patient, to decide upon the option which suits the patient best.¹²

I wonder what conflict resolution practice would look like if we included evidence-based practice as a level of competency? I imagine this would look something like this:

Finding out what is important for the parties in conflict, all the parties, before deciding which approach or process to use.

Broadening one's practice to include wisdom gained from life experience of others as well as oneself (this includes other cultural ways).

Seeking and assessing evidence of what works and what doesn't work to inform decisions.

Talking this through with the parties. Reflecting on outcomes, feelings and consequences.

Defining competency in mediation or peace-making practices gives a power

to the highlighted competencies, a power that privileges these skills over traits, ways or knowing that are not part of the definition. All professions have gate-keepers that decide what skills, practices and techniques are preferred. They serve the purpose of ensuring uniformity of standards and expectations in practice. They also may leave out some of the uniqueness that culture, context and consequences have given rise to over time.

If we step outside the technical box of professional standards and competencies, and open our minds and hearts to tried, tested and traditional ways of conflict competency, we may discover and develop habits of mind and heart that are well worth developing. ●

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