



USAID | **RWANDA**
FROM THE AMERICAN PEOPLE

TRAINING OF TRAINERS MANUAL

CONFLICT TRANSFORMATION AND PEACEBUILDING IN
RWANDA



JUNE 2008

This publication was produced for review by the United States Agency for International Development. It was prepared by ARD, Inc. and the Center for Justice and Peacebuilding.

PREFACE

The purpose of the Rwanda Land Dispute Management Project (LDMP) is to support and strengthen local resolution of land disputes. This effort is particularly appropriate now because the Government of Rwanda (GoR) is piloting a process for formalizing land rights, with the goal of eventually formalizing land rights nationwide. LDMP is a USAID-sponsored effort under the Office of Conflict Management and Mitigation. The LDMP is being implemented in two pilot areas with four main activities:

1. Assess land disputes and existing resolution processes in the pilot areas;
2. Develop/refine land-related dispute resolution processes;
3. Build local capacity for land dispute resolution; and
4. Conduct a public information and awareness campaign in the pilot areas on land rights and mechanisms that support peaceful reconciliation of land-related disputes.

This report is an outcome of Activity 3: a training-of-trainers manual on conflict resolution theory and methods.

This activity was designed to train individuals who are responsible for resolving land disputes at the cell level and below on dispute resolution methods and on land-related legislation. To conduct these local training sessions, a TOT was held to teach the staff of the Rwanda Initiative for Sustainable Development (RISD) about these two topics.

A post-conflict reconciliation specialist from the Center for Justice and Peacebuilding prepared and presented the five-day conflict/dispute resolution training, which took place from October 29 to November 2, 2007 in Kigali. A Rwandan conflict specialist assisted in that training to provide Rwandan-specific expertise.

This TOT activity enabled RISD to develop and present a curriculum on basic dispute resolution methods to the local dispute resolution actors in the two pilot cells: (1) Kabushinge Cell, Rwaza Sector, Musanze District; and (2) Nyamugali Cell, Gatsata Sector, Gasabo District. Details on the local training can be found in a separate deliverable: *“Field Training Report: Training Local Bodies in Kabushinge and Nyamugali Cells on Land Dispute Management and Land-Related Laws”* (June 2008).

ARD, Inc. of Burlington, Vermont, USA is implementing the LDMP, with a grant from USAID’s Office of Conflict Management and Mitigation, Contract No. 696-A-00-07-00006-00. ARD’s partners are the Rwandan Initiative for Sustainable Development (RISD), the Rural Development Institute (RDI), and the Center for Justice and Peacebuilding (CJP) at Eastern Mennonite University. ARD and its partners work hand-in-hand with the Rwandan Ministry of Natural Resources (MINIRENA).

Authors: Babu Ayindo and Janice Jenner from the Center for Justice and Peacebuilding.

ARD Contact:

Olga Segars, Project Manager
159 Bank Street, Suite 300
Burlington, VT 05401
Tel: (802) 658-3890
Fax: (802) 658-4247
Email: osegars@ardinc.com

Cover Photo: Courtesy of Deborah Espinosa, RDI

TRAINING OF TRAINERS MANUAL

CONFLICT TRANSFORMATION AND
PEACEBUILDING IN RWANDA

DISCLAIMER

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

CONTENTS

- Acronyms..... ii
- Introduction 1
- PART 1: Understanding Conflict..... 2
 - 1.1 The Nature of Conflict..... 2
 - 1.2 Functions of Conflict..... 3
 - 1.3 Causes of Disputes and Conflicts 4
 - 1.4 African Indigenous Traditions and Culture: Learning from our Experience..... 5
 - 1.5 Conflict Analysis..... 6
 - 1.6 Tools for Conflict Analysis 7
 - 1.7. Power 8
 - 1.8. Another Way of Analyzing Conflict: The DSC Triangle: Summary Notes on the Transcend Method 9
- PART 2: Intervening Conflicts 11
 - 2.1. Conflict Resolution: Terms and Definitions 12
 - 2.2 Spectrum of Response to Conflict 13
 - 2.3 Roles Played in Conflict Situations 14
 - 2.4 Cultural aspects influencing conflict resolution..... 15
- PART 3: Mediation 17
 - 3.1 Active Listening 17
 - 3.1.1 Objectives of active listening..... 17
 - 3.2 Fundamental Elements of Mediation 18
 - 3.2.1 Stage 1: Introduction..... 18
 - 3.2.2 Stage 2: Description 19
 - 3.2.3 Stage 3: Problem-solving 19
 - 3.2.4 Stage 4: Agreement 21
- PART 4: Preparing a training..... 24
 - 4.1 Learning Cycle 25
 - 4.1.1 Retention 26
 - 4.2 Key Steps in Training Design 26
 - 4.3 Working Definitions 27
- Appendix A. Resources for Deeper Understanding 29
 - A.1 Power (Section 1.7)..... 29
 - A.1.1 Problems with the definition of power 29
 - A.2 DSC Triangle: Transcendence (Section 1.8) 30
 - A.3 Part 2: Intervening in Conflict..... 31
 - A.3.1 Maire Dugan’s Conflict Foci 31
 - A.3.2 Matrix of Conflict Progression 33
 - A.3.3 Three basic and frequent mistakes in conflict practice 34
 - A.4 Part 3: Mediation..... 34
 - A.4.1 Negotiation..... 34
 - A.4.2 Mediation - Stage 2: Description..... 36
 - A.4.3 Mediation - Stage 3: problem solving..... 37
- Appendix B. Bibliography..... 40

ACRONYMS

CJP	Center for Justice and Peace Building
CMM	Conflict Management and Mitigation
DFID	UK Department for International Development
GOR	Government of Rwanda
LDMP	Land Dispute Management Project
MINIRENA	Rwandan Ministry of Natural Resources (formerly MINITRE)
RDI	Rural Development Institute
RISD	Rwanda Initiative for Sustainable Development
TOT	Training of Trainers
USAID	United States Agency for International Development

INTRODUCTION

Intercommunal conflict occurs when actual and perceived incompatibilities result in hostile violent action. What differentiates a conflict from political struggles or peaceful competition is that it involves the potential of destructive violence. The threat of violence is positively correlated with the willingness of the parties to use violent means to reach their unilateral and seemingly incompatible goals. However, as much as all incompatibilities do not necessarily lead to destructive violence, all incidents of violence do not lead to the onset of intractable conflict. Thus, incidents of violence alone cannot be seen as sufficient for a serious conflict to break out and take root.

The underlying factors that cause a conflict are usually in place long before the outbreak of violence and it is the escalation in particular (and the move from political to violent) that turns a situation of peaceful competition into a destructive, deadly conflict. In the best of all possible worlds, **conflict prevention** would be sufficient for preventing any escalation to take place.

However, for conflict prevention to be effective, early warning indicators must be detected and addressed before violence becomes too destructive. Preventive measures employed at an early stage need to address the causes that lie at the root of the conflict. An escalation of violence is often preceded by a perceived incompatibility of interests between groups, asymmetric intergroup power relationships, as well as triggers that serve to mobilize or rally a group around its grievances.

Similarly, de-escalation alone is often not sufficient for a conflict to end. For peace to become sustainable, peacemaking and post-conflict reconstruction activities (peacebuilding and state building) are often essential to address the underlying causes of a conflict long after the violence has ended and to prevent a conflict from re-erupting.¹

“Peace is not merely the absence of war but the presence of justice, of law, of order—in short, of government.”

– Albert Einstein

¹ School of Advanced International Studies (SAIS), 2005.

PART I: UNDERSTANDING CONFLICT

I.1 THE NATURE OF CONFLICT²

Conflict is a natural and necessary part of our lives. Whether at home with our families, at work with colleagues or in negotiations between governments, conflict pervades our relationships. The paradox of conflict is that it is both the force that can tear relationships apart and the force that binds them together. This dual nature of conflict makes it an important concept to study and understand.

Conflict is an inevitable and necessary feature of domestic and international relations. The challenge facing governments is not the elimination of conflict, but rather, how to effectively address conflict when it arises. While most government officials in Africa are not frequently confronted by large-scale violence or humanitarian crises, they are often involved in lesser but nevertheless serious conflicts over trade, refugees, borders, water, defense, etc. Their government may be party to the conflict or called on to serve as mediator. In either case, they require particular skills and techniques to tackle the issues in a constructive fashion. Conflict can be managed negatively through avoidance at one extreme and the use or threat of force at the other. Alternatively, conflict can be managed positively through negotiation, joint problem solving and consensus building. These options help build and sustain constructive bi- and multi-lateral relations.

Good conflict management is both a science and an art. We have all learned responses to confrontation, threats, anger and unfair treatment. Some of our learned responses are constructive, but others can escalate conflict and raise the level of danger. How we choose to handle a confrontation is largely based upon our past experience in dealing with conflict and our confidence in addressing it. One can start to change destructive responses to conflict by learning to assess the total impact of negative responses and acquiring confidence in using the tools and techniques of professional peacemakers.

Constructive conflict management is as much a science as an art. It is based on a substantial body of theory, skills and techniques developed from decades of experience in international peacekeeping, peacemaking and peacebuilding. Acquiring a better understanding of the conceptual tools and skills professional conflict managers use can help us gain confidence in addressing conflict in a manner which resolves the issues and maintains or even strengthens relationships. While we may not all go on to become professional peacemakers, these skills and knowledge can help us in any social setting. These tools can help government officials, for example, address disputes more quickly and effectively, preventing them from growing into domestic or international crises.

Peace: The distinction is sometimes made between ‘negative peace’ and ‘positive peace’.³ Negative peace refers to the absence of violence. When, for example, a ceasefire is enacted, a negative peace will ensue. It is negative because something undesirable stopped happening (e.g., the violence stopped, the oppression ended). Positive peace is filled with positive content such as the restoration of relationships, the creation of social systems that serve the needs of the whole population and the constructive resolution of conflict.

Peace does not mean the total absence of any conflict. It means the absence of *violence* in all its forms and the unfolding of conflict in a constructive way. Peace therefore exists where people are interacting non-violently

² Centre for Conflict Resolution, 2001.

³ See, for example, Galtung, 1996.

and are managing their conflict positively—with respectful attention to the legitimate needs and interests of all concerned.

Reconciliation: Reconciliation becomes necessary when negative conflict has occurred and relationships have been damaged. Reconciliation is especially important in situations of high interdependence where a complete physical or emotional barrier between parties in a conflict cannot be maintained. Reconciliation therefore refers to the restoration of relationships to a level where cooperation and trust become possible again. Lederach (1995) stated that reconciliation deals with three specific paradoxes:

- Reconciliation promotes an encounter between the open expression of the painful past and the search for articulation of a long-term, interdependent future.
- Reconciliation provides a place for truth and mercy to meet; where concern for exposing what happened and letting go in favor of a renewed relationship is validated and embraced.
- Reconciliation recognizes the need to give time and place to justice and peace, where redressing the wrong is held together with the vision of a common, connected future.

Does conflict have to be destructive? We all know how destructive conflict can be. Whether from personal experience or media accounts, we can all note examples of the negative aspects of conflict. On the other hand, conflict can have a positive side, one that builds relationships; creates coalitions; fosters communication; strengthens institutions; and creates new ideas, rules and laws. These are the *functions* of conflict. Our understanding of how conflict can benefit us is an important part of the foundation of constructive conflict management.

NOTES FOR TRAINERS

It is important to have participants spend some time talking/reflecting about conflict as a basis for future discussion in the workshop. An exercise that often works well is to have people come up with many of the words that are used for conflict and peace in their language(s) and look at what they mean and/or how they are used. Another interesting exercise is to look at proverbs or songs that deal with conflict and peace. Pushing people to look at positive aspects of conflict (outlined in the next section) can be important, as well as separating “conflict” from “violence.”

IMPORTANT: Depending on the language and the culture, it may be very important to spend enough time on this to ensure everyone is clear and comfortable with the words used to describe conflict and peace—some languages/cultures make elaborate verbal distinctions among levels and types of conflict.

1.2 FUNCTIONS OF CONFLICT

What positive things have happened to you as a result of conflict? Here are some of the positive aspects noted by Coser (1956):

- **Conflict helps establish our identity and independence.** Conflicts, especially at earlier stages of your life, help you assert your personal identity as separate from the aspirations, beliefs and behaviors of those around you.
- **Intensity of conflict demonstrates the closeness and importance of relationships.** Intimate relationships require us to express opposing feelings such as love and anger. The coexistence of these emotions in a relationship creates sharpness when conflicts arise. While the intensity of emotions can threaten the relationship, if they are dealt with constructively, they also help us measure the depth and importance of the relationship.

- **Conflict can build new relationships.** At times, conflict brings together people who did not have a previous relationship. During the process of conflict and its resolution, these parties may find out that they have common interests and then work to maintain an ongoing relationship.
- **Conflict can create coalitions.** Similar to building relationships, sometimes adversaries come together to build coalitions to achieve common goals or fend off a common threat. During the conflict, previous antagonism is suppressed to work toward these greater goals.
- **Conflict serves as a safety-valve mechanism which helps to sustain relationships.** Relationships which repress disagreement or conflict grow rigid over time, making them brittle. Exchanges of conflict, at times through the assistance of a third party, allow people to vent pent-up hostility and reduce tension in a relationship.
- **Conflict helps parties assess each other's power and can work to redistribute power in a system of conflict.** Because there are few ways to truly measure the power of the other party, conflicts sometimes arise to allow parties to assess one another's strength. In cases where there is an imbalance of power, a party may seek ways to increase its internal power. This process can often change the nature of power within the conflict system.
- **Conflict establishes and maintains group identities.** Groups in conflict tend to create clearer boundaries which help members determine who is part of the “in-group” and who is part of the “out-group”. In this way, conflict can help individuals understand how they are part of a certain group and mobilize them to take action to defend the group's interests.
- **Conflicts enhance group cohesion through issue and belief clarification.** When a group is threatened, its members pull together in solidarity. As they clarify issues and beliefs, renegades and dissenters are weeded out of the group, creating a more sharply defined ideology on which all members agree.
- **Conflict creates or modifies rules, norms, laws and institutions.** It is through the raising of issues that rules, norms, laws and institutions are changed or created. Problems or frustrations left unexpressed result in the maintaining of the status quo.

NOTES FOR TRAINERS

When working with a group, it often works well for the facilitator to give one or two examples of a concept you are trying to get across. For example, you might say, “conflict can be positive when it brings out problems that have been hidden before”—and then use an example from the community that everyone would know. Then ask that others give examples of ways in their own lives they have seen conflict work positively.

1.3 CAUSES OF DISPUTES AND CONFLICTS

Part of developing an effective intervention strategy is to know the general categories of causes of conflict. One model⁴ identifies five sources of conflict:

- **Data or information conflict** involves lack of information and misinformation, as well as differing views on what data are relevant, the interpretation of that data and how the assessment is performed.

⁴ See Moore, 1996.

- **Relationship conflict** results from strong emotions, stereotypes, miscommunication and repetitive negative behavior. It is this type of conflict which often provides fuel for disputes and can promote destructive conflict even when the conditions to resolve the other sources of conflict can be met.
- **Value conflict** arises over ideological differences or differing standards on evaluation of ideas or behaviors. The actual or perceived differences in values do not necessarily lead to conflict. It is only when values are imposed on groups, or groups are prevented from upholding their value systems, that conflict arises.
- **Structural conflict** is caused by unequal or unfair distributions of power and resources. Time constraints, destructive patterns of interaction and non-conducive geographical or environmental factors contribute to structural conflict.
- **Interest conflict** involves actual or perceived competition over interests, such as resources, the way a dispute is to be resolved, or perceptions of trust and fairness.

An analysis of the different types of conflict the parties are dealing with helps the intervener determine strategies for effective handling of the disputes.

NOTES FOR TRAINERS

When you are training in the community, it is not necessary for you to try to get participants to understand all the nuances of these various concepts—though it is important for you to keep them in mind. It is important as you work with people to keep asking questions that point them toward looking at the “why” of the conflicts that they are dealing with: “What are the reasons that have caused the number of people having problems with land?”

I.4 AFRICAN INDIGENOUS TRADITIONS AND CULTURE: LEARNING FROM OUR EXPERIENCE⁵

“I was one of nine children living in a four bedroom house. In our house the movement between the kitchen and the kitchen or bathroom required traffic lights, especially in the mornings. We were seven boys with only three pairs of shoes...we had to negotiate at every stage—in the kitchen, in the bathroom—and for all the scarce resources in the house. We came to understand human nature. We learned to be good negotiators...many of the students we teach come from such backgrounds. What happens to them when they come to our institutions? Do we recognize their collective problems solving skills and utilize for effective teaching and learning, or do we force them into a mold created for us by Europe?”⁶

Laws and resolution of conflict in African societies is closely related to the whole system of morality and ethics of African religion. It is hard to separate “law” in African tradition from custom, taboo, divination, mediumship, ordeals and the expectations of sharing, harmony, play and good company in general. It is also difficult to separate resolution of conflict from the structures of family, lineage, clan and the various sodalities.

⁵ Magesa, 1997.

⁶ Ntuli, 1999.

The African legal system and moral system are inseparable. Punishment or coercion generally takes the form of moral pressure. The person may suffer loss of self-esteem, or be treated with ridicule or contempt.

Throughout the court hearing, the judges try to prevent the breaking of relationships, and to make it possible for the parties to live together amicably in the future. Judgments are meant to be both conciliatory and therapeutic. They reeducate the parties and the entire community through a type of social learning brought about in a specially structured interpersonal setting.

What is central in the judicial process is the act of listening by those whose task is to make the judgment between the litigant and plaintiff. This is usually done at great length, sometimes with details seemingly irrelevant to the case.

The shedding of blood—even enemy blood—is always inauspicious, and is invariably followed by elaborate rituals of purification.

What the African religious worldview emphasizes, therefore, are relationships. Through the act of creation, God is related in an unbreakable way to the entire universe. At the center of the universe is humanity, but it too is intrinsically and inseparably connected to all living and non-living creation by means of each creature's life force. Although God, spiritual beings, ancestors, humanity, living things and non-living things enjoy life forces with greater and lesser powers, all forces are intertwined. Their purpose ultimately is humanity; they can act either to increase or suppress the vital force of an individual person or for a community.

- A conflict resolution/peace process is an opportunity for the education of the whole community.
- Reconciliation is not just about humans; conflict causes disequilibria within other realms of existence, hence the need for rituals of resolution.
- In the process of responding to conflict, we must still respect humans by saving their face and avoid embarrassing and/or shaming people.
- The language of conflict resolution should encourage resolution by avoiding embarrassment and breaking barriers.
- Face saving creates the space for self-examination and invites all the parties in conflict to listen to each other.
- The process of resolving conflicts should be inclusive. The language was designed to accommodate different levels of meaning so that everyone was included.

NOTES FOR TRAINERS

This is an extremely important section for you, the trainers. Conflict transformation and peacebuilding was not “invented” by the West in the last 30 years; people and cultures around the world have solved conflicts in culturally appropriate ways since the beginning of time. Your task is to take what is useful from the global community and apply it to the situation in Rwanda. In terms of training in the community, the important thing related to this is to work to instill in people the confidence that they can solve disputes and conflict using methods and values that make sense in their context, while learning new insights and skills from the experience of people around the globe.

I.5 CONFLICT ANALYSIS

Conflict analysis is the process of looking critically at a particular conflict to understand the causes, context, participants, stakeholders and other aspects of the conflict. Too often, people attempt to intervene in a conflict before understanding it, with less than positive results. A thorough conflict analysis provides a basis for determining interventions that will have increased possibilities of success.

The following questions and dilemmas⁷ are ones that are useful to consider in a conflict analysis process.

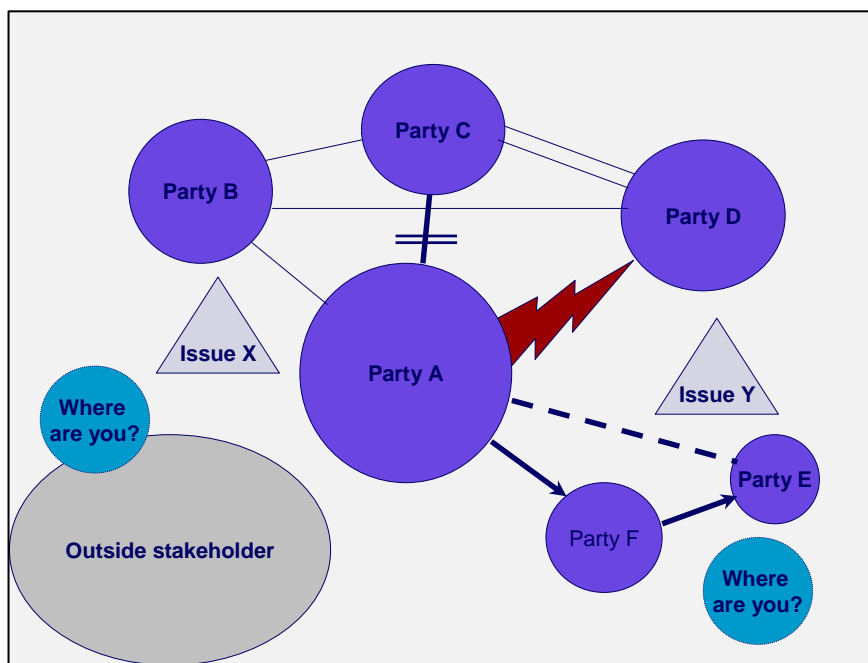
1. Who are the parties relevant to the conflict situation?
2. What are the positions of each party in the conflict?
3. What are the needs and interests of each party? [In other words, *what are they saying without saying? What lies beyond the spoken word?*]
4. What is the relative power, status and resources of each part in the conflict?
5. What are the processes they are using to pursue their interest in conflict with other?
6. Within what framework, structure or system is the conflict taking place?
7. How are decisions made and conflict resolved/transformed in the situation?
8. What external factors impact the conflict?
9. What outcome does each party expect?
10. What are the possible changes as the result of the resolution/transformation of the conflict at following levels:
 - a) Personal,
 - b) Relational,
 - c) Structural/systems,
 - d) culture/traditions, and
 - e) Spiritual.

1.6 TOOLS FOR CONFLICT ANALYSIS

Peacebuilding practitioners have developed a number of tools that assist in analyzing conflicts. One of the most useful is conflict mapping, which visually depicts the people, issues and relationships in a conflict. A conflict map can be used to:

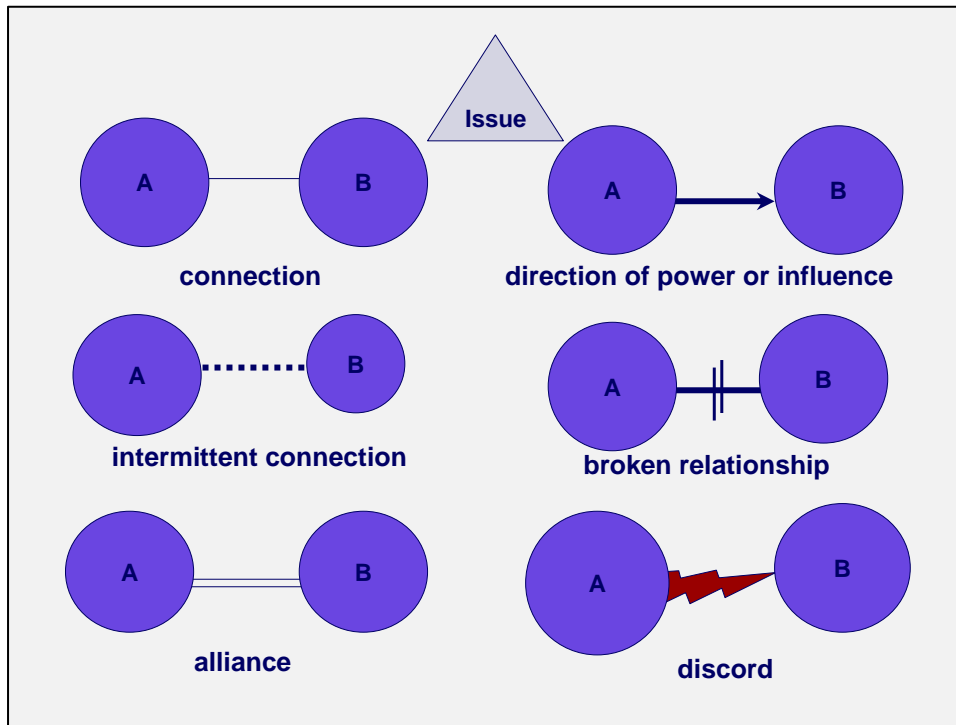
- Identify all stakeholders...
- Assess stakeholders' relationships...
- Assess power dynamics...
- Identify and assess alliances...
- Identify and carefully evaluate some possible entry points for investigation or intervention...
- Assess intervener relationships with stakeholders...
- Assess your own position regarding issues and actors...

To the right is an example of how to develop a conflict map for a conflict. It is often helpful to begin with the major parties, and the major issues, and then add in other parties, issues, and relationships. Note: "Party" can refer to individuals or groups.



⁷ Adapted from Duke, 1976.

Here is the explanation of the way that symbols are used in making a conflict map.



NOTES FOR TRAINERS

The process of figuring out what is really happening in a conflict, what the causes are, who the major participants are, who is affected by it, what the complicating issues are—basically responding to the questions above—are an extremely important, and too often overlooked, part of intervening in conflict.

Many good and simple tools have been developed that help people in communities understand the causes, progression, and entry points for the conflict. Conflict mapping is one of those methods. Several others that work very well for community groups are included in *Peacebuilding: A Caritas Training Manual*; available online in English and French at http://www.caritas.org/Upload/P/Peacebuilding_English.pdf and http://www.caritas.org/Upload/P/Peacebuilding_french.pdf

Getting people to work in groups on analyzing specific conflict by using mapping or other tools can be one of the most valuable parts of the workshop. Don't be afraid to use these exercises in your training—they really do work!

1.7. POWER

Power is an inherent, often confusing part of any human interaction, including conflict. To successfully analyze and intervene in a conflict, the power dynamics in the situation must be understood. Some types of power are easy to see and comprehend; others are much more difficult. The Caritas Peacebuilding Manual provides a good list of these, as follows:⁸

⁸ Caritas International, 2006.

- **Positional power** is based upon the role, or position, an individual occupies in society. It is passed from one individual to another as he or she moves in and out of the role. For example, presidents or prime ministers of countries have power because of their positions, not because of their personal characteristics or social class.
- **Relational power** does not reside in a particular individual but is a property of social relationships. For example, when you listen to a friend speak and respect her opinion, you give her power. When she listens to you and respects your opinion, you are given the power. In relationships, power is fluid and hard to measure. It can be expanded or limited as you interact.
- **Power of force** refers to physical strength and coercive mechanisms (like guns). Individuals may use their own strength, as well as weapons, armaments, armies, police and prisons to impose their will upon others.
- **Power of status** comes from wealth or social standing within a society. Individuals can use their money or their social and family ties to maintain a situation that is to their advantage or to get what they want. For example, kings and queens are given royal power because of their family ties.
- **Power of knowledge and expertise** refers to the additional credit and influence given to those in a society with special knowledge and expertise, such as doctors, lawyers, or teachers, engineers or mechanics. Power comes from what they know.
- **Power of a group** comes from people acting together for a cause. The phrase “people-power” is often quoted. It refers to the power of individuals when part of a group. Labor unions and mass protest movements, for example, have power because of their numbers.

NOTES FOR TRAINERS

Again, probably the most useful way to use this information in community-level training is to use a brainstorming exercise, in which you ask small groups to work on what different types of power they see in their community—you may well have to give some examples to get them started. Remember—it is the concepts that are important, not the terms themselves.

1.8. ANOTHER WAY OF ANALYZING CONFLICT: THE DSC TRIANGLE: SUMMARY NOTES ON THE TRANSCEND METHOD⁹

Besides direct violence (D), we need to take structural (S) and cultural (C) violence into consideration. Direct violence is only the tip of the iceberg, and an immense amount of prejudice and exploitation is often at the origin of direct violence.

Direct violence can be seen on TV, in movies and in the media, sometimes on our streets and sometimes in our homes. Some sources say that more than 95% of all direct violence is perpetrated by men between 12 and 60 years old. Physically hurting or killing someone or preventing a person from doing something vitally important are common forms of direct violence which are easiest to see. They are usually about doing something that directly affects someone else in a violent manner.

Structural violence is much harder to see, as it is often embedded in the system itself. A society which has a structure recognizing and encouraging the rights of men to work and participate actively in society, but not the rights of women to do the same, is practicing structural violence. It can be said that direct violence is usually the result of structural violence. For example, a group of people who have been oppressed and exploited for a long time within a certain society, deprived of a decent life because of discriminatory structures, will use direct violence at some point to try to rectify the situation. Moreover, structural violence is often the product of cultural violence. Sometimes not doing anything at all to change the situation is a form of violence too.

⁹ Galtung & Jacobsen, 2002.

Cultural violence is a way of thinking that justifies both direct and structural violence. Social Darwinism is a famous example of a culturally violent way of thinking, since it considers that in the context of the survival of the fittest, it is only natural to have wars and violent conflicts periodically in order to eliminate the weakest. The best remedy for this kind of thinking—still widespread today—is education.

Summary: the three types of violence can be reduced by promotion of alternative behaviors (direct), social reform (structural) and education (cultural).

Some basic assumptions

- People are better able to discuss root problems when they sense there is a solution. Truth can become unbearable if there is no hope for a resolution.
- If we develop a perspective of transformation of the root conflict, then that opening may drain the negative energies in attitude and behavior such that inner and outer behavior are normalized.
- The more alternatives to resolving a conflict, the less likely the violence

What is Transcendence? By "transcendence" we mean creating a new type of reality. Something that potentially was always there is becoming empirical reality. The conflict between two countries over a disputed territory may end by one winning in military battle or court battle, by a compromise dividing the territory, by both of them withdrawing their claims and leaving the territory to somebody else (such as the inhabitants!), or by the two owning the territory together.

NOTES FOR TRAINERS

What is important here for training community groups? First, it is important that you as trainers understand the three types of violence, and how they relate: structural violence is often the cause of overt violence; while cultural violence allows both other types to exist.

As you work with community groups, help them to see that violence is shown in more ways than simply physically; structures that divide, marginalize, and impoverish are not only violence in and of themselves, but often directly lead to open violence. Working to reduce only direct violence without changing systems and structures is short-term at best.

PART 2: INTERVENING IN CONFLICTS

Bread and Mango Trees:¹⁰ Short-term needs and long-term vision

A woman had a child who was very hungry and crying for food. The woman took the last money she had and went to the market. She bought bread to take home to feed her child that night.

However, the mother was wise, and she didn't use all of her money for bread. She took some of it and bought beans for planting. She went home, prepared her farm, and planted the beans. She knew that these plants would not ease her child's hunger today, but she also knew that with proper care, the bean seeds would start producing in a few weeks, and the beans she harvested would feed her child for many months.

This mother was indeed wise, and she saved enough of her money to buy a mango. She fed the flesh to her child, and carefully planted the seed. Over the months, she tended the seed carefully, although she knew that her child would be grown before the tree produced its first mango. However, she knew that once the mango tree grew to maturity, she would feed not only her own grandchildren but also all the children of the entire village with the fruit from that mango tree.

Then, this very wise mother took her very last coin, and visited the tree nursery, where she purchased a very small mahogany seedling. She took the seedling home, and carefully planted it in a corner of her homestead. She faithfully watered that small seedling, and protected it from goats and other possible harm, and she taught her child to do the same. She knew that she would tend this mahogany tree throughout her entire lifetime, and her child would do the same, without reaping any benefit from it. But she also knew that by the time her great grandchildren were born, they would play under the shade of that mahogany tree, and her great-great grandchildren would be able to harvest that tree, and build a strong and sturdy house that would last for many more generations.

NOTES FOR TRAINERS

Using stories is a very good way of introducing concepts to community groups. This one works well to bring out the idea to introduce the concept of what peacebuilding is—both a long- and short-term response to current problems. Abunzi members can reflect on how they can respond both to the immediate land conflict and set the stage for peaceful interactions in regard to land for the next generations.

There is more good background information for trainers about both time frames and levels of peacebuilding in Appendix A, “Resources for Deeper Understanding”.

¹⁰ Ayindo, et al, 2001.

2.1. CONFLICT RESOLUTION: TERMS AND DEFINITIONS¹¹

Cooperative problem solving is an unassisted procedure which includes formal or informal discussions between individuals or groups. With this process, parties work jointly to determine the nature of their differences and look for creative alternatives which will allow them to meet their needs, desires or concerns. Parties using cooperative problem solving do not need to have an especially strong relationship but they must acknowledge a need to collaborate with one another to resolve their differences (CDR, 1997).

Negotiation refers to either competitive processes (positional negotiation) or cooperative efforts (interest-based negotiation). In *positional negotiation*, parties make offers and counter-offers which they feel will resolve the conflict. These exchanges of offers typically start to converge on a solution which both parties find acceptable. Success at positional negotiation is based on a party's ability to bluff the other party about its positions of strength and weakness in order to gain an outcome which is in their favor. Interest-based negotiation is designed for parties who have a need to create or maintain healthy relationships. In this type of process, parties discuss the issues which face them and express the interests, values and needs that they bring to the table. Instead of focusing on competitive measures and winning the negotiation, parties collaborate by looking to create solutions which maximize the meeting of their interests, values and needs (Ibid.).

Mediation refers to a process through which a third party provides procedural assistance to help individuals or groups in conflict to resolve their differences. Mediation processes vary throughout the world in form and underlying philosophy. In many Western countries, the mediator is usually an independent, impartial person who has no decision-making authority. In other societies, it may be more important that the mediator is known and trusted by the parties rather than being seen as impartial. Mediation is a voluntary process and its success is linked to the vesting of decision-making authority in the parties involved in the dispute. The mediator structures the process in a way which creates a safe environment for parties to discuss the conflict and find solutions which will meet their interests.

Facilitation is an assisted process which is similar to mediation in its objectives; however, facilitated processes typically do not adhere to a tightly defined procedure. In this type of proceeding, the facilitator works with parties to increase the effectiveness of their communication and problem-solving abilities. The facilitator may be either a third party or a person within one of the groups who is able to provide procedural assistance and to refrain from entering into the substance of the discussion.

Arbitration is a form of dispute resolution where a third party makes the decision on the outcome of dispute. Typically, the parties appoint the arbitrator to render this decision. The arbitrator's decision is either binding or non-binding on the parties depending on the arrangement made prior to entering the arbitration process. Non-binding arbitration is frequently used to assist parties who are deadlocked on a certain issue. While there is no obligation for parties to accept the outcome, the weight of the arbitrator's decision may provide the impetus for parties to reconsider their settlement options (Ibid.).

Conflict resolution is a broad term which refers to the many ways disputes are resolved. Conflict resolution is a progression from an order based on coercion to one based on voluntarism. It creates a relationship not characterized by hierarchy but one marked by equality, participation, respect, mutual enrichment and growth. The term also refers to addressing the causes of conflict and seeking to build new and lasting relationships between hostile groups.

¹¹ Centre for Conflict Resolution, 2001.

NOTES FOR TRAINERS

While it is not specifically important for community members to know all these definitions, it will be helpful to review with them various types of conflict resolution mechanisms that are used in the community: push them, through brainstorming and small group work, to look at how different conflicts are dealt with now, and what the local terms for each of these are.

- What types of conflicts are dealt with by which methods?
- Who has the power?
- Who decides the outcome?

2.2 SPECTRUM OF RESPONSE TO CONFLICT¹²

The following is borrowed from Hizkias Assefa, 1993 (with adaptations).

The list below shows various ways in which people and communities arrive at solutions to conflict; the list goes from the lowest level of mutual participation and agreement (the person/group with the most powerful force wins; the other loses) to one of mutual decision making and satisfaction (win/win).

In general, the higher the level of mutual participation in solving the conflict, the more long-lasting and deep-rooted that solution will be.

Level of mutual participation in search for solution:

- **Force.** Parties have virtually no opportunity to present their case.
- **Adjudication.** Parties have opportunity to present their case but third party, appointed by state, imposes solution.
- **Arbitration.** Parties can choose arbiter and whether the outcome will be binding. However, solution is imposed by outsider and may be imposed by law.
- **Negotiation.** Parties formulate issues and find resolution. However, the final solution might depend on the relative power of the parties.
- **Mediation.** Mediator tries to eliminate obstacles to negotiation that may include power imbalances. The parties determine the outcome
- **Reconciliation.** The process searches for solution but also fundamentally alters relationship. All parties must equally invest and participate

LOW



HIGH

“As we attempt to analyze dialogue as a human phenomenon, we discover something which is the essence of dialogue itself: the word. But the word is more than just an instrument which makes dialogue possible; accordingly we must seek its constitutive elements. Within the word we find two dimensions, reflection and action, in such radical interaction that if one is sacrificed—even in part—the other immediately suffers.”

- Paulo Freire, *Pedagogy of the Oppressed*

¹² Assefa, 1993 (with adaptations).

2.3 ROLES PLAYED IN CONFLICT SITUATIONS¹³

From the pre-negotiation stage to the negotiation and post-negotiation stages, people involved in the intervention process play a number of roles. Local, regional and international governmental and non-governmental representatives may find themselves assisting peacemaking efforts in a variety of ways, including):

- **Explorer:** Carries messages between parties and reassures them about the room for negotiation and notes areas of common ground.
- **Convener:** Initiates the resolution process by encouraging parties to take part and working to remove obstacles which impede peacemaking activities.
- **Analyst:** Conducts political, social or economic analysis of the conflict to assist other interveners in determining causes of conflict and courses of action.
- **Designer:** Helps parties and interveners in creating a resolution process which will appropriately and effectively address the conflict issues.
- **Communicator:** Serves as the communication interface between parties involved in the process and those outside the process, such as the media, general public or international community.
- **Decoupler:** Finds ways for external parties who have become involved in the conflict to disengage while saving face and attempts to engage other external actors who can play less biased roles in endorsing the process or encouraging parties to participate.
- **Unifier:** Helps with intraparty negotiations to repair divisions and assists them in creating a common understanding of the conflict and their goals and objectives.
- **Enskiller:** Empowers parties with the skills required to negotiate, communicate interests, analyze scenarios and research aspects of the conflict.
- **Educator:** Provides expert opinion or technical information to parties about aspects of the conflict issues.
- **Envisioner:** Helps parties think about the conflict and possible solutions in new ways by using creative option-generating processes or bringing in relevant data.
- **Evaluator:** Helps parties assess possible solutions and their impact on the resolution of the conflict.
- **Guarantor:** Ensures that parties do not incur unacceptable costs either through involvement in the process or if the process breaks down.
- **Legitimizing:** Encourages parties to accept the process by granting their moral, political or financial approval.
- **Facilitator:** Assists parties in communicating to one another by creating a safe process for discussions, framing or reframing the issues and parties' understanding of the conflict and fostering a forum for effective listening and problem solving.
- **Enhancer:** Brings in resources to expand the options for settlement or reward participation in the process.

¹³ Adapted from Mitchell, 1993.

- **Enforcer:** Monitors agreements and codes of conduct so that momentum for the process can be sustained.
- **Reconciler:** Prepares parties for long-term relationship-building activities which are designed to reduce patterns of negative behaviors, destructive stereotyping and miscommunication.

This extensive list of roles shows the complexity of starting and maintaining peace processes. The range of skills, knowledge, resources and aptitudes required to be effective in these roles is unlikely to be found in one person or intervening body. Whether by design or happenstance, when a number of actors are engaged in different aspects of intervention work, there are certain challenges which emerge.

For those involved in conflict resolution efforts, there are three central concerns regarding the roles of other actors. One is to ensure that the necessary roles related to each type of activity (e.g., convener, envisioner, or facilitator) are being filled. The second is to ensure that the roles that a specific actor plays do not have conflicting principles and objectives. The third is to ensure that role players work cooperatively to achieve common goals.

- **Role integrity** relates to ensuring that when a person plays multiple roles, none of the roles compromises the others. Some roles operate on fundamentally contradictory principles. For example, one of the characteristics of the role of a third-party facilitator is impartiality. If the facilitator is also seen as an advocate or patron for a party to the conflict, other parties may feel that the process is biased. There are other role combinations, such as enforcer and reconciler, which can compromise an intermediary's credibility or continued participation. The central point is that individuals or organizations who are providing procedural or substantive assistance to the primary parties involved in the conflict need continually to assess whether the roles they are playing compromise their continued participation. When concerns related to the role players arise which threaten the process, appropriate action should be taken. This may include decoupling people from a given role or even removing them from the process.
- **Role cooperation** is important, and designers of a peace process must recognize that a number of people will be taking on different roles. When interveners involved in various aspects of the conflict are not coordinating their efforts and, while their intentions may be good, their actions may impede or disrupt other activities. The peace process needs to ensure that these people are aware of major events and decisions made by parties so that all people involved in the peace effort are working cooperatively toward common goals of peace, justice and reconciliation.

NOTES FOR TRAINERS

What is important in your training with community members is for them to understand that solving conflict does not happen in one way by one person or group of people. While the list of different roles will vary from conflict to conflict, and from group to group, it can be very useful to have groups identify the different roles that a variety of people need to play in resolving the specific conflict. Brainstorming and small-group work can be valuable in this exercise.

2.4 CULTURAL ASPECTS INFLUENCING CONFLICT RESOLUTION

Culture plays an important role in how we view conflict and how we approach it. Here are some of the ways that culture influences the conflict resolution process (CDR, 1997):

1. **Approach to conflict.** What does your culture tell you about how to deal with conflict? Is the message to avoid conflict, accommodate the other party or attempt to 'win' the conflict? What are the messages you receive about compromising your position or collaborating with the other party?
2. **Approach to problem-solving and agreements.** How do people conceptualize problems? How does this influence the problem-solving process? Are differing values attached to verbal and written agreements?

3. **Relationships.** How are relationships built in your culture? Are relationships in a social setting built differently than in a business or political setting? How do people attain status in your culture, through age, race/ethnicity, gender, knowledge, experience, wealth, etc.?
4. **Time.** What is the cultural impact on time as it relates to conflict? Do you deal with conflict straight away or do you let tensions dissipate before attempting to resolve it? When parties are describing their understanding of the conflict, do you control the amount of time they have or let them speak until they are finished? Do you use time to put constraints on the resolution process?
5. **Space.** What are the cultural views on space? Do disputants like to be far apart or close together? Are there other people around them? If so, how close are they? Where do the disputants come together to discuss their problems? Do they meet on neutral ground or on one party's 'turf'? Do they prefer the setting to be formal or informal? Is the conflict resolution setting open or closed to people not directly involved in the conflict?
6. **Impact of social structures.** What are the larger social structures and institutions which influence conflict? Are there religious, ideological or familial structures which are important? How do they tell the disputants to act in a conflict situation?
7. **Communication.** Is communication direct or indirect? Are disputants using a common language? What effect does an interpreter have on communication? Do disputants speak directly to one another or through a third person? Which non-verbal cues or gestures are used and to what effect?
8. **Interveners.** What are the cultural views on intervening in conflict? Are there structures in place for people to use to resolve conflict? Who are the interveners and what qualities do they possess (e.g., age, gender, expertise, status, etc.)? What is the role of the intervener?

NOTES FOR TRAINING:

Understanding the culturally appropriate ways of dealing with conflict may be the most important part of your role in training community members. Spending days teaching skills that simply don't work in a given cultural context will end up in frustration for both trainers and participants, and will not provide new tools for solving conflicts facing the communities.

Communities can learn new skills to supplement what they have always done; and in every culture, traditional ways of doing things are always changing and stretching, but new ideas and methods must be introduced carefully, and it is vital that you as trainers understand as much as possible about the usual ways of dealing with conflict so that you can introduce new ideas in ways that will make sense to the participants, in ways that energize them.

PART 3: MEDIATION

Mediation refers to a process through which a third party provides procedural assistance to help individuals or groups in conflict to resolve their differences. Mediation processes vary throughout the world in form and underlying philosophy. In many Western countries, the mediator is usually an independent, impartial person who has no decision-making authority. In other societies, it may be more important that the mediator is known and trusted by the parties to the conflict rather than being seen as impartial.

Mediation is a voluntary process and its success is linked to the vesting of decision-making authority in the parties involved in the dispute. The mediator structures the process in a way which creates a safe environment for parties to discuss the conflict and find solutions which will meet their interests. Mediation typically starts with an introduction which includes, among other things, a description of the process and ground-rules which provide behavioral guidelines for the participants. Parties are then, in turn, given an opportunity to present their understanding of the conflict. After this, a list of issues is created and an agenda is devised to guide parties through the resolution process. The mediator then helps parties negotiate solutions to the issues they have identified. As specific solutions are reached, parties are asked to confirm their acceptance.

NOTES FOR TRAINERS

The following sections are an explanation of mediation as practiced in a number of cultures, especially in the West. It is very important that you look at the following with critical eyes. While many of the concepts will be useful in Rwanda, the ways in which those concepts are used may look very different. It is up to you, the trainers, working with the participants, to develop methodologies that will work in your context. Be creative, and have fun with these ideas!

3.1 ACTIVE LISTENING

One of the deepest needs of all human beings is to feel understood and be accepted by others. Offering understanding to another person is a potent form of empowerment. We need not agree with others to empower them in this way; we need only to make it clear through our eyes, body posture and tone of voice that we want to see the world from their perspective. Our interactions with others must come from a point of deep, non-judgmental interest. The key is to grasp the why behind what is being said or done in order to gain insight into the deeper interests and needs of the person with whom we are communicating. From the moment that people feel you are truly seeking to understand, they begin dealing with problems and other people more constructively. Good listening skills are used throughout any process designed to constructively resolve conflict. Good listening is, perhaps, the most significant skill a mediator or facilitator brings to assist parties in conflict.

Active listening is a communication skill used by mediators and facilitators to aid communication by helping parties deliver clear messages and know that their messages were heard correctly. It is also an indispensable skill for interest-based negotiators.

3.1.1 Objectives of active listening

- To show the speaker that his/her message has been heard.
- To help the listener gain clarity on both the content and emotion of the message.
- To help speakers express themselves and to encourage them to explain, in greater detail, their understanding of the situation and what they are feeling.
- To encourage the understanding that expression of emotion is acceptable and that it is useful in understanding the depth of feelings.

- To create an environment in which the speaker feels free and safe to talk about a situation.

The four levels of listening: Active listening takes place on four levels:

- **‘The head’:** listening for facts and other forms of information.
- **‘The heart’:** listening for feelings. Conflict is often associated with strong feelings such as anger, fear, frustration, disappointment, etc. Strong feelings often block the way to rational discussions and therefore have to be identified and dealt with before proceeding to substantive matters.
- **‘The stomach’:** listening for basic human needs. Identify what basic needs are driving the conflict and distinguish between needs and satisfiers.
- **‘The feet’:** listening for intention or will. Identify in which direction the person/group is moving and how strong their commitment is.

NOTES FOR TRAINERS

One of the ways to help participants understand what active listening looks like in their context is to have them role play; while it may be difficult for people to articulate clearly what is and is not “paying attention well,” they will be able to act out examples of situations in which people are/are not listening to each other and then discuss what makes the difference.

Other aspects of listening that are useful in some cultures are “paraphrasing” and “reframing.” They are both discussed in Appendix A.

3.2 FUNDAMENTAL ELEMENTS OF MEDIATION

The following elements distinguish mediation from other forms of conflict resolution:

- The process is voluntary. Parties cannot be coerced into mediation and they may opt out of the process at any time.
- The mediator must be acceptable to all parties involved in the process.
- The mediator offers procedural assistance rather than substantive assistance. That is, the mediator controls the process of resolving the conflict while the content is the domain of the parties.
- The mediator must remain impartial. That is, the mediator must be able to set aside his/her opinions on what the solution to the conflict should be. In addition, the mediator should be seen as neutral, in terms that she/he should not be in a position to benefit from continued conflict or benefit directly (in the form of some sort of compensation) from one of the parties.
- Potential solutions and decisions on agreements are determined by the parties to the conflict, not by the mediator. While the mediator may suggest possible solutions, the parties decide what outcomes will best meet their interests. The mediator does not serve as judge or arbiter.
- Mediation is an interest-based method, that is, it seeks to reconcile the substantive, psychological and procedural interests of the parties rather than to determine who is right or more powerful.

While there are various forms of mediation, some more directive than the above method, many peacemaking approaches are called mediation but do not meet all or even most of the criteria listed above. If a process is not truly voluntary or parties are coerced into decisions they would not make on their own accord, it is not mediation. This type of process frequently occurs in systems of violent conflict. While coercive methods may succeed in securing a settlement, it is unlikely that these settlements can be maintained over time without continued use of power. The long-term success of mediation is tied to the freedom given to parties to engage in the process and the authority that they grant to the agreement of their own making.

3.2.1 Stage I: Introduction

Remember that when parties arrive they are often:

- Anxious and tense,
- Suspicious of the other party and their motivations,
- Fearful of being manipulated or taken advantage of,
- Unclear about what happens in a mediation session and what to expect from the mediators, and
- Afraid that things will escalate out of control.

The purpose of the introduction stage is to deal with and allay these fears, in order that people feel comfortable to participate in and trust the process. The beginning of the mediation session affects the tone of the whole discussion. People usually agree to mediate because they hope that talking might improve things. Getting things off on the right foot in an atmosphere of negative emotions is a critical first step in mediating. Getting people to agree to meet and talk is itself a major challenge which we will look at later in the course. But for now we will assume that the ‘getting to the table’ discussions have already taken place and the parties have agreed to meet.

Remember that the Introduction Stage is your time—the rest of the mediation belongs to the parties. It is up to you to set the tone, be firm, direct the process. All of this will increase the confidence of the parties that their concerns will be taken care of.

NOTES FOR TRAINERS

How will this introductory stage be done in Rwanda? With tea or coffee? With prescribed rituals? With discussions by intermediaries? The purpose of the introduction is to ensure that participants begin the work of mediation with comfort and trust. How it is done is less important than making sure it is done

3.2.2 Stage 2: Description

Purpose: The conflict description stage presents an opportunity for the mediator to begin to understand the perspective of each party, and to start formulating in his/her mind, the crucial issues that need to be addressed, and a way to proceed. Even more importantly, through communication skills such as active listening, the mediator allows parties to feel that **they** have been heard, and assists parties to hear **each other**—sometimes for the first time. This represents a turning point in many conflicts, for parties who have not understood the effect of their actions on others, and have not been able to express what they in turn have been feeling.

Process

1. Each party explains the situation from their perspective while the other party listens.
2. Mediators summarize briefly and empathetically as each party finishes, reflecting facts, feelings, interests and needs.
3. Mediators may ask, or invite other parties to ask, questions to clarify various points.
4. The mediators identify and list issues.

For further details, see Appendix A.

3.2.3 Stage 3: Problem-solving

Purpose: The problem-solving stage is the most challenging part of mediation, for it is now that the first serious efforts at resolution are made. Although we propose a sequence of activities that will give you some idea of things that might take place, there are no rules about how to go about this stage. The key to managing the problem-solving stage are:

- **People/relationship-building skills**, tools that enable the parties to establish a human bond between them. i.e. communication skills;

- **Process-management skills**, e.g., maintaining control, breaking impasse, and managing the flow of communication; and
- **Problem-solving skills**, that is, tools for enabling the parties to discuss the problems that separate them in a way that is efficient and constructive, using good timing in switching from one to the other. Thus you need to create a simple framework for yourself, and to master the use of the key tools, to be able to use them skillfully in real life, according to the dynamics of the conflict you face, the cultural setting, and the parties involved.

Process: Two basic tasks occur in this stage— working with **problems** through rational efforts at problem-solving and negotiation, and working with **people** — through good listening and skill in handling bruised feelings.

Suggested sequence

1. List issues for parties to see
2. Point out commonalities
 - common frustrations,
 - common commitments,
 - interdependency, or
 - common good intentions, even if outcome has been unsuccessful — try to find something positive to highlight, but make sure it is believable.
3. Generate ideas to resolve the issues. It is often helpful to structure option generation by focusing on one issue at a time; however, there are situations where it is more constructive to group similar issues together and discuss them as a block.
 - Use the conflict description format for each issue.
 - Continue with standard problem-solving approach:
 - a. identify interests/needs,
 - b. ask for ideas to resolve,
 - c. evaluate ideas, and
 - d. choose and plan implementation.
4. People skills used throughout
 - listen attentively,
 - highlight commonalities and good intentions,
 - acknowledge feelings,
 - coach direct dialogue and paraphrasing,
 - draw people out in caucus, and
 - affirm parties and celebrate progress.

Clarifying the issues. One of the most useful contributions of mediators is to clarify the issues in conflict. This is often first done after each party has told their side of things in conflict description, as a way of focusing the discussion that will follow in the problem-solving stage. By clarifying the issues, the mediation process can be improved in several ways:

- Often parties are themselves confused about what the conflict is actually about. Party A may think one problem is the cause Party B may think a different problem is the cause.
- Frequently parties think that their divisions are greater/more numerous than they actually are. Clarifying the issues may help make the conflict seem more manageable. *“I was surprised when you made that list on the board.”* a party once commented near the end of a mediation session, *“Before we started it seemed like we had more than three issues between us.”*

It is difficult to maintain control of the discussion if the parties have not agreed to a list of issues for discussion. Having a written “agenda” of issues is the mediator's most powerful tool in establishing an atmosphere of impartiality and maintaining control over the discussion process. Not having a written agenda increases the risk of parties simply bouncing from one issue to another, trading accusations but never penetrating deeper to the underlying needs.

List the issues. One of the mediator's most useful tools for maintaining control is listing issues on a flipchart or overhead transparency at the beginning of the problem-solving stage. This provides a visual agenda and makes it easier to keep the discussion focused. Create a list of the issues needing work and interact with it. Use it to list commonalities and options for resolution.

Visual lists:

- Help people feel heard so they do not need to keep driving home their point,
- Create a sense of order,
- Help parties focus on a common problem rather than on each other, and
- Can provide guidance when you need to change direction.

Remember to describe the issues impartially. Mediators must at all times take care to talk about and write issues in words that are impartial and convey no sense of judgment or taking sides.

Determine agenda order. After the parties have agreed to a list of issues, mediators face a strategic choice: Which issue to begin with? There are a variety of ways to make this decision. Regardless of how you make the decision, no one party should be allowed to make the decision about which issue to begin with as this may create the impression that the mediators have given up control of the process to one side. The decision should be made by the mediators or jointly with the parties.

Point out commonalities and points of agreement. People in conflict often get so caught up in the heat of disagreement that they often lose perspective and ignore the things they actually agree upon or share in common, or even their common history. Mediators can be a moderating force by repeatedly reminding people in conflict of these things.

Summarize negotiated agreements. As the negotiations continue, it becomes increasingly easy to point out agreements. The mediator can now summarize the agreements that have been worked out in the current mediation as a way of establishing a positive atmosphere. By reminding the parties of what they have accomplished, the mediator can thus discourage them from falling back into attacks and recriminations.

Caucus. A caucus is a private meeting between the mediator and only one party. To keep things balanced, mediators caucus with both parties separately. Caucus is a useful tool, since dealing with one party at a time is simpler than with two or more in the same room. When things get tense or difficult, caucus is one easy way to maintain a sense of control. When all else fails, caucus!

Some mediators do most of their work in caucus, conducting ‘shuttle diplomacy’ between the parties. This can, however, cause suspicion. Then too, caucus does little to empower the parties to solve their own conflicts themselves, for the parties depend entirely on the mediator to work out the differences. Direct dialogue between parties is always preferred, but private caucus is sometimes needed to break a deadlock or deal with emotional or confidential issues. Caucus is a powerful tool for dealing with problems, and in volatile or sensitive disputes it may become the primary means of communication.

3.2.4 Stage 4: Agreement

Purpose: The purpose of the agreement stage is to concretize the outcome of the problem-solving stage, and to ensure that any agreements reached are clear, specific, realistic and proactive.

This stage is one of the most critical phases of the mediation process. Strong temptations often exist to relax a few minutes too soon, but this can be very costly. One common cause of failure in mediation is that mediators and parties neglect to work out the details and procedures for implementation of agreements. The result: days or weeks after an apparently successful settlement, renewed conflict breaks out over the meaning of the original agreement. Sometimes this conflict can be resolved with another round of mediation, but all too often the agreement breaks down entirely, with the parties bitterly blaming each other for failure to keep promises. Peace may now be harder to achieve than ever. By staying on guard to the very end, mediators can greatly reduce the chance of such a scenario occurring.

Process: The agreement should state clearly **WHO** is agreeing to **WHAT, WHERE, WHEN** and **HOW**. The disputants' wording can be used whenever possible. An effective mediation agreement should:

1. **Be specific**

Avoid ambiguous words (e.g., 'soon', 'reasonable', 'co-operative', 'frequent') as they can mean different things to different people. Use specific words and dates that will have the same meaning to both parties. For example, "*Party A agrees to a 60-day moratorium on development of mining operations on the border of the national park.*"

2. **Be clear about deadlines**

State clearly all times and deadlines. For example, "*The environmental task team has until 30 June 1997 to perform an EIA. Both parties will have until 10 July 1997 to review the study.*"

3. **Be balanced**

Everyone should 'win' something, and agree to do/not do something. For example, "*Party A agrees that... Party B agrees that...*"

4. **Be realistic**

Can the disputants live up to their agreement? Ideally the agreement speaks only for the disputants themselves, i.e. actions over which they personally have control.

5. **Be clear and simple**

When possible, use the disputants' language. While agreement details are very important, making agreements too complicated can lead to misinterpretations or misunderstandings which create further conflict.

6. **Be proactive**

Include provision for later review, or set up a monitoring mechanism, or agree on a procedure for dealing with problems that may arise.

7. **Be signed by everyone present**

Upon completion read to the parties and get their responses. Does it cover all issues? Do they pledge to live up to it? Should we agree on some way to review progress in the near future? Then sign and date the agreement and give copies to both parties.

NOTES FOR TRAINERS

Which parts of the above process are useful for the Rwandan context? How will you need to modify them to make the process more useful? As a trainer, it is important to remember that to focus on the end result: providing participants with new knowledge and skills that will enable them to work with conflict more successfully.

It is up to you as trainers to modify what you present to maximize the benefit for the participants and community. And, as was said previously, while the concepts may be widely useful, how they are presented and used may differ a great deal. Figure out what will be most helpful for the people you are training and the conflicts that they are working with.

PART 4: PREPARING A TRAINING

“The role of the educator is to present to the community in a challenging way the issues they are already discussing in a confused way.”

Mao ZeDong (Chairman Mao)

“Education should encompass a search for truth, morality and technique in that order.”

Aristotle

Mass training in generic skills for untargeted groups are, for the most part, not helpful in addressing things driving conflict. They may even be harmful in that they consume time and resources that could be better utilized.

Mary Anderson and Lara Olson, *Confronting War*

Training are not, alone, intended to bring peace. However, when used as one tool in a strategy, training can contribute to socio/political change that promotes peace.

Mary Anderson and Lara Olson, *Confronting War*

In examining any educational process, we need to consider:

- (a) The “taught” curriculum?
- (b) The “hidden” curriculum?
- (c) The “missing” curriculum?

Akum Longchari

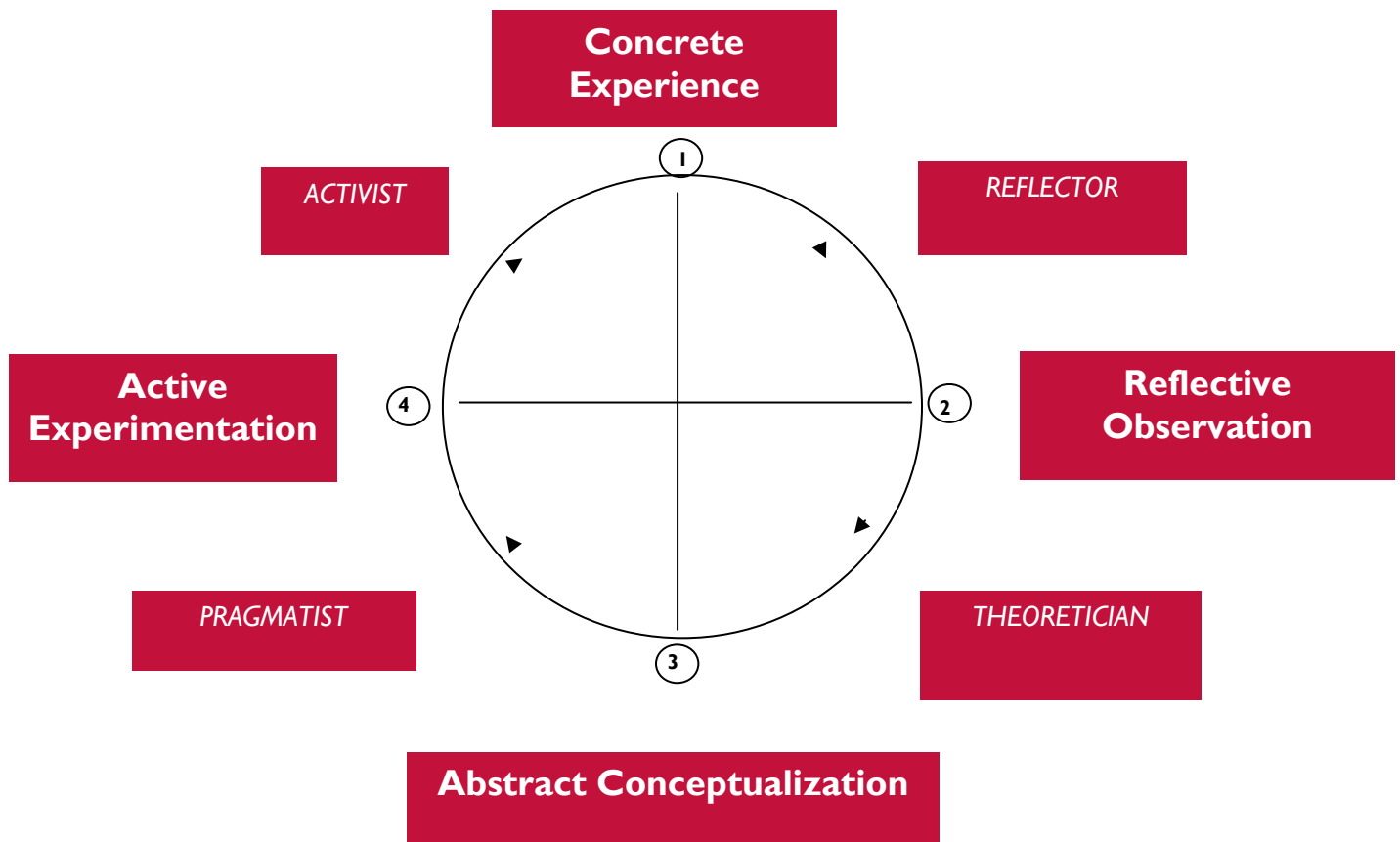
When I hear, I forget
When I see I remember
When I do I understand

Chinese Saying

4.1 LEARNING CYCLE¹⁴

The cycle of learning has four phases. The **concrete experience** here and now is the basis for **observation** and **reflection**. These observations are translated in a '**theory**' a pattern, a model. From these hypotheses, new plans and ideas are derived. The new ideas are they tested in **active experimentation**. This testing leads to new experiences.

To get an optimal learning process the individual must have four different learning capacities in the four fields of the learning cycle. In reality we see that people excel in one or two ways of learning, and do not use the other learning possibilities.



In general teaching and learning aims at effective change in three domains:¹⁵

1. Cognitive (knowledge) "Head"
2. Psychomotor (Skills) "Hand"
3. Affective (Attitudes) "Heart"

¹⁴ Kolb, 1983.

¹⁵ Ayot & Patel, 1987.

4.1.1 Retention

In general, humans remember:

- 20% of what they hear,
- 40% of what they see, and
- 80% of what they discover by themselves.

Research shows that in general adults do not concentrate beyond 40 minutes hence the need to have a variety of experiential learning design.

NOTES FOR TRAINERS

Keep all of this in mind as you prepare your training: adult participants need to hear, reflect, interact, and practice new knowledge and skills; long lectures are not the most helpful methods of teaching adults.

Good training helps participants discover what they already, and validates their own experiences and knowledge, as well as providing new information. Finding ways to do this—by a combination of lectures, plenary discussions, small group work, and individual reflection—maximizes the learning for participants.

4.2 KEY STEPS IN TRAINING DESIGN¹⁶

(1) **Context Analysis.** An analysis of the organizational needs or other reasons the training is desired. Consider:

- (a) What are the needs of the participants and society at large that the training will confront?
- (b) Why the training program seen as the recommended solution to a gap?
- (c) What the history of the organization/institution has been with regard to staff training and other interventions?
- (d) Who will decide the training should happen?

(2) **User Analysis.** This analysis seeks to determine:

- (a) For whom is the training relevant? In other words, who are the potential participants?
- (b) What is the participants' level of existing knowledge on the core content?
- (c) How much time are the participants (or their employers) able to make available for the training?
- (d) What kind of expertise or competencies should the trainers possess?

(3) **Content Analysis.** Analysis of material relevant to the training. We seek to answer:

- (a) What knowledge or information is currently used on the job? (the content of the training does not conflict with job requirements).
- (b) What new knowledge, skills or values are required in order to fill the gap (include indigenous resources)?
- (c) What is the general learning style of the participants?

¹⁶ Quesada-Palm, "On Training."

(d) What learning approaches and methodologies are suitable for the content and learning style of participants?

(4) Training Suitability Analysis. Training is one of several solutions to gaps. Therefore:

- (a) How will the training link to broader strategies for change?
- (b) With whom should we share the draft curriculum for critical feedback?
- (c) Cost-Benefit Analysis. Effective training results in a return of value to the organization that is greater than the initial investment to produce or administer the training.
- (d) What materials and resource do we need to mobilize given budget provisions and limitations?

(5) Setting Objectives. Some trainers list teaching objectives rather than learning objectives.

Example: *“To update, reinforce and provide new information on negotiation and conflict management”* Such an objective focuses on what the trainer plans to do, rather than what the learner outcome will be.

Instead, start with the phrase: *“At the conclusion of this activity, participants should be able to...”* and then state the measurable things participants will be able to do, for example *“outline 5 principles of positional bargaining.”* Use specific action verbs (behavioral terms) in these statements -- verbs such as “identify,” “cite,” “describe,” or “assess” which observable. When writing learning objectives, focus on the learner! These verbs are better avoided: Appreciate, Know, Learn, Understand, Believe, Grasp, Think, Have faith in.

(6) Monitoring and Evaluation: We seek to answer:

- How shall the training be evaluated during and after the training?
- How shall we monitor and evaluate the manner the trainers have adapted or applied their learning?

NOTES FOR TRAINERS

Good preparation on all these levels is important. A few hours of thinking through all of these questions will improve your ability to plan a workshop that provides real benefit to individual participants, the group as a whole, and the communities. Don't skip this important step!

4.3 WORKING DEFINITIONS

Training design: A complete and thorough description and “fleshing out” of the training that contains rationale, objectives, content/core topics, training methods, time, evaluation tools, facilitating roles and responsibilities, materials and other resources needed and a budget.

Training: An educational process which involves the creation and acquisition of knowledge, skills and attitudes.

Curriculum: A general description of the training or course that contains:

- (a) the aim/goal/purpose
- (b) specific objectives
- (c) course content
- (d) training methods/pedagogy
- (e) time
- (f) criteria for training evaluation

Syllabus: Contents of a course or training arranged according to a flow.

Module: A series of related activities responding to a particular set of objectives that can be undertaken independently; it can be one component of a curriculum.

NOTES FOR TRAINERS

A few final thoughts:

- It is important to always keep in mind your final goal: what is it you want the participants to have gained by the end of the workshop; what change in knowledge/attitudes/behavior do you want them to exhibit?
- Knowing how much to include in a workshop is a matter of experience. It is often useful to know the very key items that you want to present, and make sure that there is time for those. Then have other topics for discussion or presentation prepared that may or may not be used depending on how quickly or slowly the group moves.
- Be ready to spend more time than you planned on key topics if it is clear the group needs more time to work through ideas or needs more time to practice; it is better to do a few things well than to speed through the entire curriculum and “lose” the group. If most of the group seems to understand and is ready to move on, but a few still seem confused or unsure, meet with them over breaks or in the evening to spend more time with them to ensure that everyone understands the key concepts and skills.
- On the one hand, be flexible enough to go with the group if something not planned seems important to them to work with. However, also continue to focus on that final goal: is the diversion helpful in reaching that goal? If it is just an interesting conversation but doesn’t contribute to reaching the goal, suggest that it be moved to a lunch or evening discussion.
- And finally, enjoy the workshop, the participants, and the new things that you will learn from the experience.

APPENDIX A. RESOURCES FOR DEEPER UNDERSTANDING

NOTES FOR TRAINERS

This appendix contains information that will deepen your understanding of issues included in previous sections of the manual. While most of it will be used as background information rather than for presenting to community groups, be aware that in some instances, it may be useful to present some of these topics in specific situations.

The numbers of these resources correspond to those of previous sections.

A.1 POWER (SECTION 1.7)

Therefore, some dilemmas in relation to power:

- How might we design peacebuilding programs in situations of “absolute” power on the one hand and “absolute powerlessness” on the other (*A. Mazrui says that absolute powerlessness also corrupts absolutely!*)?
- Would “democratizing violence” (Jerry Rawlings, *The Africans: In Search of Stability*) increase the power of the “powerless” and be a durable solution to instability and lack of peace and justice in your context?
- What does it mean to intervene in situations where “power is in the hands of those who control instruments of destruction rather than those in charge of production?” (Ali Mazrui, *The Africans: In Search of Stability*)
- “All of us are powerful, but not all of us recognize it.” (Nelson Mandela). Is peacebuilding, therefore, fundamentally about changing the **definition and use of power** in society?
- How should we approach peacebuilding in situations where there are other interveners who to derive their legitimacy from tradition(s)/culture(s), power structures and charisma?

A.1.1 Problems with the definition of power¹⁷

1. Is power synonymous with force, violence, coercion and persuasion?
2. To what degree is our understanding of power influenced by patriarchal systems?
3. Is power generalized capability in all situations or is it situation-specific?
4. Does the possession of power by one preclude the possession by another?
5. How can we analyze and describe the magnitude and scope of power -- its origin, its distribution, significance in political and social life, and in family and institutions, the value assumptions underlying the definition and use of power.
6. What are other sources of power? Is power fundamentally derived from acquisition of material goods including weapons of warfare, superior social organization, legitimized authority and social prestige?
7. How is power defined and played in the social organization, governance systems and human relationships within the nation-states in Africa?
8. Should power be treated as a commodity or as an available resource?
9. Are class, status and power interdependent and independent variables in the analysis of African societies?

¹⁷ Adapted from Weber, 2004 and Mazrui, 2004.

A.2 DSC TRIANGLE: TRANSCENDENCE (SECTION 1.8)

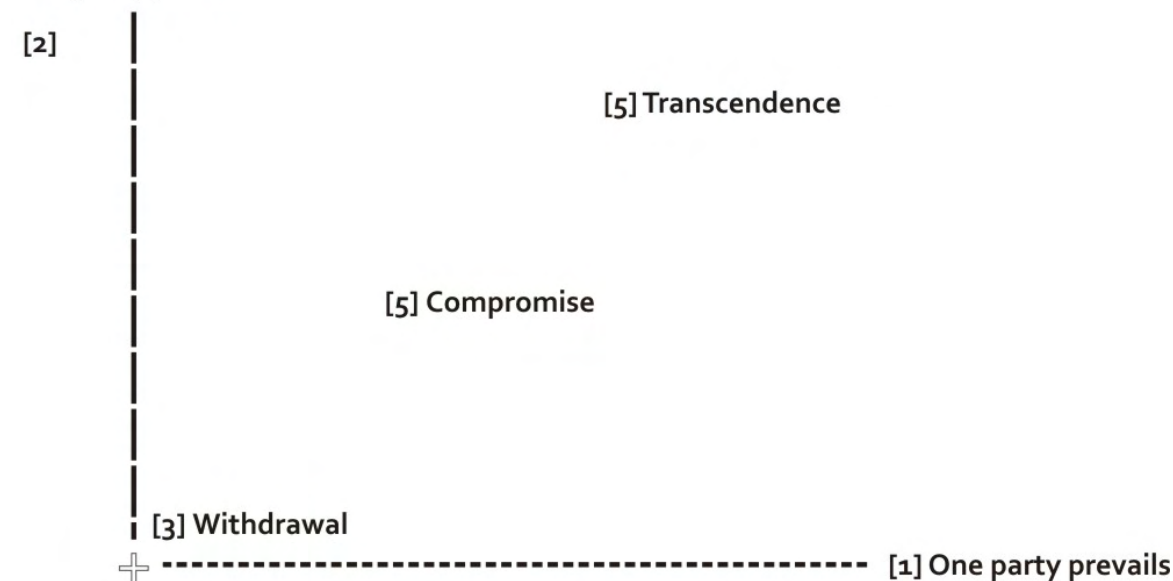
From Transcendence to Transformation. Transcendence introduces a new reality, opening a new landscape. To transform a conflict is to transplant it to that new reality. To transform a conflict would mean to transcend the goals of the conflict parties, defining some other goals, lifting a conflict ("disembedding") out of the bed the parties have prepared for that conflict, including the discourses.

For this to happen the conflict has to be transformed also in the sense of adding parties and goals the participants themselves do not always think of. To simplify by eliminating some parties (e.g., the "extremists") would be a major mistake; they will certainly make themselves heard and felt (the peace process in Israel/Palestine?).

If we accept that a conflict may both be a source of destruction and a source of creation, then one approach to transformation of a conflict is to act so that the creative aspects dominate. This is more than steering the conflict away from violence.

An Example of Conflict: The five basic outcomes

One party prevails



[1,2] ONE PARTY PREVAILS

- The Rule of Man: Fight it out, might is right (to be avoided)
- The Rule of Law: Adjudicate, some principle (like, need, taste)
- The Rule of Chance: Some random method
- Compensation: Broadening (triangle), deepening (double conflict)

[3] WITHDRAWAL

- Walk away from the situation
- Destroy or give away the orange
- Just watch the orange
- Put it in the freeze

[4] COMPROMISE

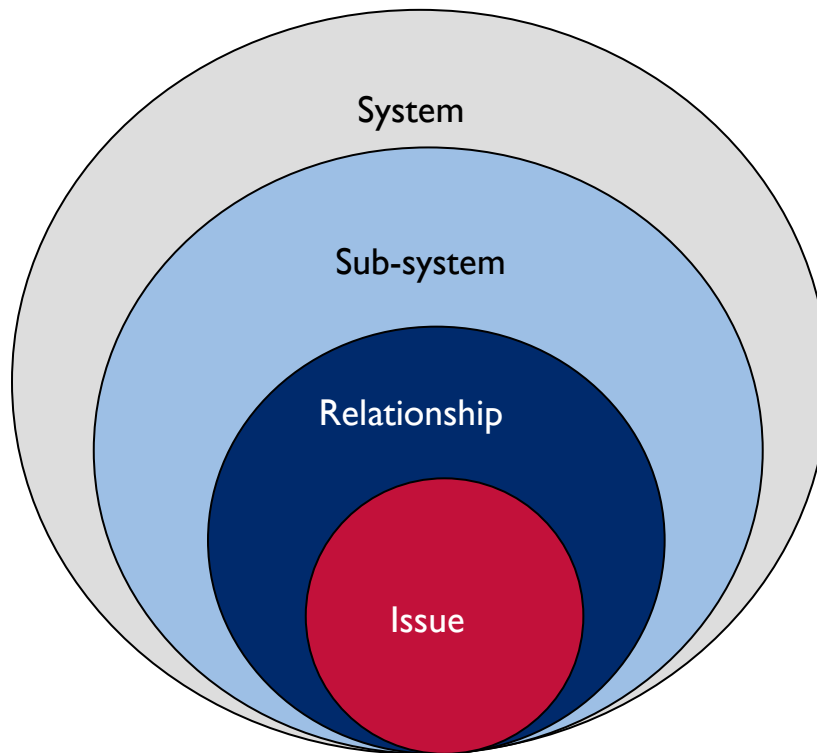
- Cut the orange
- Squeeze the orange
- Peel the orange; divide the slices
- Any other division

[5] TRANSCENDENCE

- Get one more orange
- Get more people to share the orange
- Bake an orange cake, have a lottery, divide the proceeds
- Sow the seeds, make plantation, take over the market

A.3 PART 2: INTERVENING IN CONFLICT

A.3.1 Maire Dugan's Conflict Foci



Dugan's nested Paradigm of Conflict Foci¹⁸

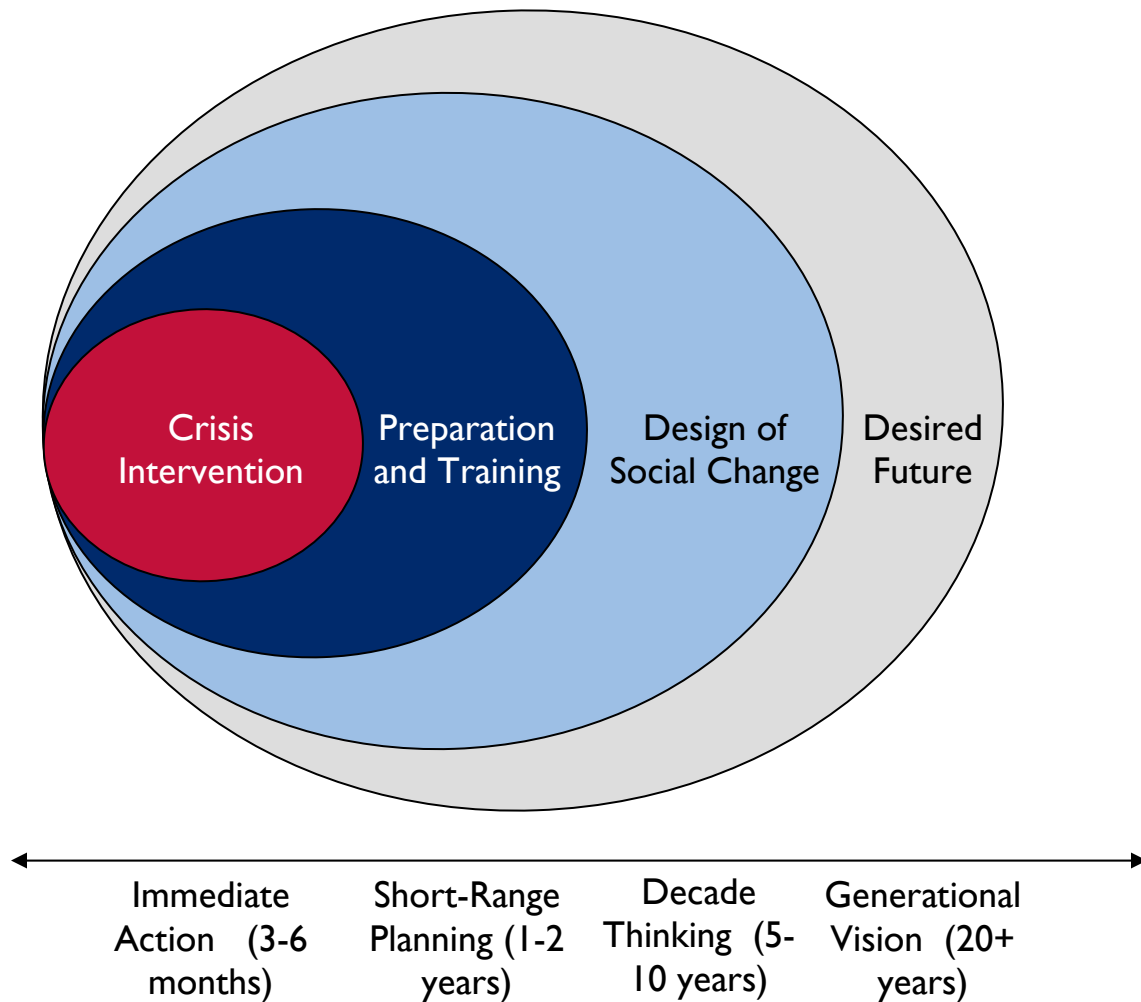
Maire Dugan developed the foci from an effort to answer the question of how a conflict resolution practitioner approaches a given situation differently from a peace researcher. She took, as a practical example, a violent conflict that had emerged in a local school between black and white gangs of young boys. She speculated that a conflict resolution, such as a mediator, would see this as an issue in dispute, a case to be explored and resolved between the boys who had been fighting. The answer to the problem then would be to resolve the issue that sparked the fight. She suggested that in some instances, depending on the model of practice used, the mediator might see this as not only a particular issue to be resolved but also a relationship problem that needed to be addressed. In this case, the issue would be embedded within the relationship that needed to be reconciled.

Peace researcher would see the fight in the context of a society built on racial inequality and economic inequity. In other words, the boys struggle would be seen as a symptomatic manifestation of the broader societal structures and systems. The solution according to the peace researcher would be to change social structures that create and perpetrate racism. In the case involving the boys the problem would be defined as racism that the larger society should deal with.

¹⁸ Dugan, 1996.

The practitioner's efforts would likely be help to diffuse the immediate face-to-face tensions between the parties in conflict, and in some cases also repair the broken relationships. This approach would however do little to redress the inequalities in the broader system. The peace researcher would move to label the problem that would help focus attention on the deeper structural and systemic concerns. The intermediate level or subsystem focuses on the immediate system in which the boys are located in this case the school. Peace building strategy could be designed that would address both the systemic concerns and problematic issues and relationships.

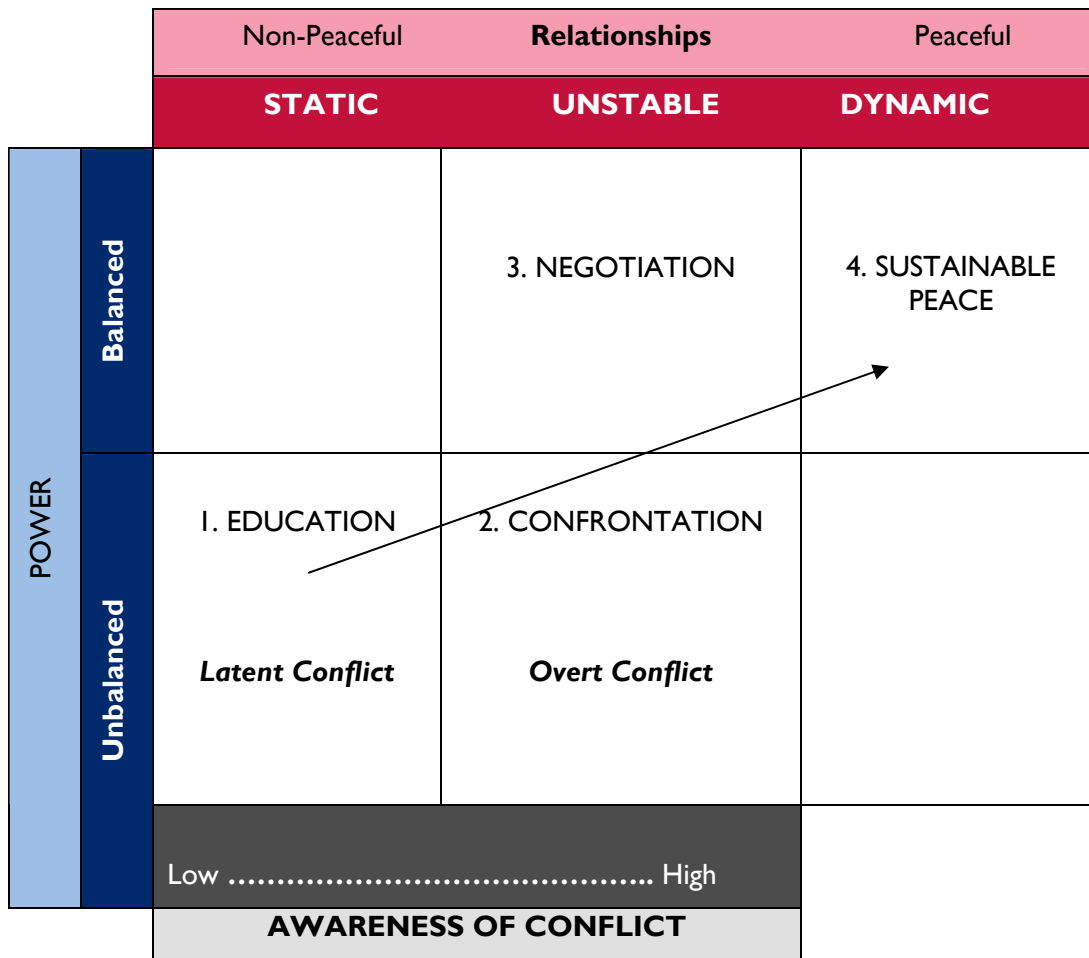
The nested paradigm underscores the need to look consistently at the broader context of systematic issues. It suggests that actions can be taken as experiments at the subsystem level, which permit to making connection between systematic and immediate issues concerns as John Paul Lederach's adaptation¹⁹ shows below.



¹⁹ Lederach, 1995.

A.3.2 Matrix of Conflict Progression²⁰

Many people have attempted to identify the progression of conflict. In the early 1970s Adam Curle charted the movement from non-peaceful to peaceful relationships. This movement can be used to follow political conflicts as well as many interpersonal conflicts. It is critical to recognise that change most often occurs as a result of a series of events, not a single action.



Education (latent conflict): Latent conflicts are disagreements that are not obvious (not outwardly expressed). There is potential for them to become real or overt conflicts. During the education stage, there is a lack of awareness about injustice and imbalance in power.

Conscientization is needed to move out of this stage and into confrontation. This means that the educator must erase ignorance of injustice and imbalances of power in order to gain support for a confrontation.

Confrontation (real or overt conflict): Real or overt conflict is an obvious disagreement. The confrontation stage is a true manifestation of the oppressed and marginalized pursuit for justice. While the pursuit for justice continues, the awareness is increasing and people recognize the imbalance of power. At this point there is a decision that must be made as to whether to proceed non-violently or violently.

²⁰ Curle, 1971.

Negotiation: Although justice is an ingredient of peace, the pursuit of peace goes beyond the pursuit of justice. Peace is pursuing justice while at the same time maintaining a positive relationship of respect and mutuality with the person from whom justice is sought. Since the conflicting parties maintain a great degree of control, the awareness is high and through negotiation the power is balanced.

Sustainable Peace: Through negotiation, sustainable peace is sought. It should be noted that peace is only sustainable when the parties involved are committed to maintaining it. If this peace is taken for granted and the parties become complacent, what was hoped to be sustainable peace can dissolve again into an unpeaceful situation. This often leads back to stage one (education) when new injustices and power imbalances evolve.

A.3.3 Three basic and frequent mistakes in conflict practice

A focus on attitudes only leads to the assumption that the problems derive from hateful or distorted minds badly in need of religious/ideological conversion, psychotherapy and/or peace and conflict education; blind to the circumstance that even the most normal mind can kill or tolerate killing when the contradictions frustrating people just go on and on. Christianity may have made slaves less hateful, but slavery did not disappear for that reason. This is the **liberal fallacy**, only trying to foster the right mind.

A focus on behavior only is very frequent since this is where the violence is located. Taming people may sweep the violence, the trouble, under the carpet, making it less visible, but it may also have no impact on the underlying contradiction. This is the **conservative fallacy**, focusing on disciplined behavior only.

A focus on contradiction only, based on social engineering, runs the risk of increasing hatred and violence if the approach to contradiction is violent. This is the **Marxist fallacy**, only trying to overcome the contradiction between labor and capital, regardless of the attitudinal and behavioral consequences, ultimately destroying the fruits of social engineering - like the Soviet Union, for instance.

Costs of using power to resolve conflict. Generally, more powerful conflict resolution procedures incur higher costs. The following list notes four costs of greater use of power in attempting to address conflict (Ibid., p. 15):

- A greater strain is placed on relationships.
- Disputes start to recur with greater frequency.
- While disputes may be settled, parties are less satisfied with the outcome.
- Interactions between the parties require more resources, emotional energy and time.

A.4 PART 3: MEDIATION

A.4.1 Negotiation

Negotiation is a voluntary attempt by the parties themselves to resolve conflicts that arise from competing needs, interests and goals. It is a problem solving approach in which parties seek agreement rather than resort to violence and force. In situations where relationships are threatened or have been harmed, high mistrust exists and violence has occurred, negotiation as a problem solving approach is particularly difficult but all the more relevant.

When a dispute arises, parties will attempt to resolve the matter through power-based, rights-based or interest-based methods. *Power-based* procedures determine who is more powerful, implying that the stronger party should get to determine the outcome. *Rights-based* methods are based upon an organization's or society's laws, norms and values. In a given situation, the decision is made by using some independent set of criteria to determine fairness or which party's claim is more legitimate. *Interest-based* procedures seek to reconcile the needs, desires and concerns of the parties involved.²¹

21 Ury, et al., 1988.

In a conflict where tensions have escalated, disputants often rely on more powerful techniques to resolve their differences. They may move from interest-based to rights-based and power-based techniques in order to communicate their message. The problem with this is that generally rights-based and power-based approaches are more costly. In organizations, communities and institutions which are experiencing a great deal of conflict, the environment tends to become distressed. When disputants increasingly use more power-based means to resolve issues. In these situations, the challenge is to move parties away from more costly methods to alternative ways of resolving their differences.

Active Listening

Paraphrasing or restating what the speaker has said in your own words is a powerful tool:

- For communicating understanding to others;
- For moving the conversation to deeper levels — a good paraphrase often brings further, more reflective responses from others;
- For slowing down the conversation between the parties; and
- For “laundering” vicious or insulting statements so as to be less inflammatory while retaining the basic points that were made.

How to paraphrase:

1. **Focus on the speaker.**
 - *“YOU felt...”, “You’re saying...”, “you believe...”*
 - **NOT** - *“I know exactly how you feel. I’ve been in situations like that myself.”*
2. **Paraphrasing can be effective at all four levels:**
 - **Restate facts:** *“Your crops have again been destroyed by your neighbour’s cattle”*
 - **Reflect feelings:** Body language and tone of voice will clue you to feelings. *“and you feel angry, bitter and worried about what your family will eat”*
 - **Reflect needs:** *“You need financial compensation and you need convincing assurances that this will not happen again (security)”*.
 - **Reflect will or intention:** *“You want to solve the problem as soon as possible”*.
3. A paraphrase contains no judgment or evaluation but **describes empathetically:**
 - *“So you believe very strongly that...”*
 - *“You were very unhappy when she...”*
 - *“You felt quite angry with Mr. X in that situation...”*
 - *“The way you see it then...”*
 - *“If I understand you correctly, you...”*
4. **Act like a mirror not a parrot.** Paraphrase mirrors the meaning of the speaker's words but does not merely parrot the speaker; e.g.:

Speaker: *“I resented it deeply when I found out that they had gone behind my back. Why can't they come and talk with me, and give me a chance to sort things out with them?”*

Paraphrase: *“You were quite hurt that they didn't come directly to you to resolve things”*.

NOT: *“You resented it deeply that they went behind your back. You wish they had given you a chance to sort things out with them.”*
5. A paraphrase **should always be shorter than the speaker's own statement**, and is used after specific points. A summary is similar to a paraphrase but is longer and is used to summarize all the key points that have been made by one party in a statement.

6. **Paraphrasing and other communication skills e.g., questioning can be extremely useful in:**

- Laundering language, i.e. rephrasing the statement so that insulting words are omitted.

Speaker: “*He is a liar*”.

Paraphrase: “*You find it difficult to believe him.*”

- Dealing with generalities and moving parties to specifics, e.g., “*He **always** comes in late...*”
Response: “*When does he come in late?*” “*What is he late for?*”
- Unspecified noun/verb e.g.: “*I just don’t like that sort of thing*”. Response: “*Tell us what you dislike*”. “*He always talks with two tongues*”. Response: “*When did he make contradictory statements.*” “*What is it that he said and to whom?*”
- Speaking for others, e.g., “*I happen to know that no-one around here trusts him.*” Response: “*Speaking from your own experience with Mr X, tell us more about what you’re upset about...*”
- Highlighting the positive.

A.4.2 Mediation - Stage 2: Description

Framing and reframing: helping parties move beyond rhetoric and threats

What is a frame?: When talking about *framing* and *reframing* it is necessary to describe what we mean by the term *frame*. Think of it as a picture frame which surrounds an event or interaction. Within this frame is the picture we are trying to communicate. A piece of artwork such as a painting may show us a picture of a person, a landscape, or perhaps something more abstract. When we use the term *frame* in a conflict setting, we are talking about the words, gestures and emotions a party uses to describe the event, what they want or how they feel.

Framing is what parties do to ‘paint their picture’ of the situation. Framing is also used by interveners to help the parties give richer meaning to this picture. This often includes getting a clearer definition of events, feelings and needs and helping parties understand the symbols they are using to create meaning.

Reframing is often used by interveners to assist parties in redefining their ‘picture’ in ways which help move them beyond rhetoric, threats or other types of communication which impede progress towards resolution of the conflict. It may include rephrasing issues in a way which helps parties move from guarding their positions and towards cooperative problem-solving.

Purposes of Framing and Reframing²²

- Define or redefine the way parties describe events, emotions and needs.
- Add clarity to the meaning parties are trying to relate to the intervener and other parties.
- Help parties gain a better understanding of events and their own feelings and needs.
- Change the perspective on certain events or understandings of the situation.
- Help move parties away from positional negotiation to interest-based negotiation.
- Break negotiation deadlocks by breaking down the issues or making them more general.
- Soften or strengthen demands or threats.
- Change the perspective of emotional or value-laden messages to enhance understanding.

Reframing is often used when the communication between parties is building tension or moving them towards a deadlock. It is used to help them redefine the situation to remove a problem-solving blockage.

22 CDR Associates, 1997.

NOTES FOR MEDIATORS

1. **Rapport:** Building rapport with both parties is the primary goal here. Grasping facts and chronology is important but secondary.
2. **Paraphrasing:** This is a powerful tool for building rapport with many, but not all people.
3. **Questions:** Be careful with questions since they impose your agenda on the speaker (leading), rather than allowing the speaker's experience to structure interaction (pacing). Wait if you can. If you must ask questions, phrase them as open questions, not closed questions.
4. **Interruptions:** Be firm with parties about not interrupting the speaker. Respond to the first few and ignore later ones, not the reverse. Give them paper and pencil to make notes if they feel a need to respond to a specific point.
5. **Barbed comments:**
 - a Be prepared to say to someone listening to an angry account from an opponent: “*John, I know you have a different perspective and I want to hear your view as well in a few minutes.*” Offered as an occasional aside to listening parties, such a comment by mediators can help them to keep growing anger under control.
 - b Launder with neutral paraphrase, e.g., launder “*she's lying*” into “*you see things differently*”.
 - c Ask for specific examples, e.g., If party says “*he's incompetent and totally irresponsible,*” mediator says “*please give us a specific example of what you have in mind.*”
6. **Writing up the issues:**
 - It is preferable to have one common list.
 - Condense issues if possible.
 - Wait until both parties have had their input before putting up a visual list.
 - Frame issues carefully to ensure that they are acceptable to all parties.

A.4.3 Mediation - Stage 3: problem solving

Possible strategies for determining which issues to discuss

- **Rank by Importance.** Parties pick the two most important issues and begin discussion on these. When completed, continue with the next two. Effective when atmosphere is good, but difficult when tension is high.
- **Easiest First.** (In terms of time, emotional intensity, ‘risk’ to parties etc.) Beginning with the easiest issue is probably the most commonly used strategy for deciding where to start. Can be useful when things are tense. Often success on small items creates momentum for larger ones and makes discussing other items easier.
- **Most Difficult First.** (In terms of time, emotional intensity, ‘risk’ to parties etc.) If an issue seems the most pressing/crux of the conflict, and parties have a need to deal with this issue in order to be able to focus on others, it is important to deal with it first. If you get resolution on this issue, it creates a clear sense of progress. Often other issues fall away, having been mentioned to add weight to the main problem.
- **Separate Long-term from Short-term Problems.** Then begin with whichever list seems most resolvable, usually the short-term.
- **Alternating Choice.** Parties take turns picking issues for discussion.

- **Principles First.** Parties begin by agreeing on a set of criteria about any potential agreement; e.g.: “*We agree that the ideal solution would:*
 - *enable both parties to continue as partners in the firm;*
 - *keep budgets at current levels of expenditure;*
 - *c) be consistent with current company policy regarding lateral moves.”*
 - This strategy is particularly effective in complex disputes.
- **Building-Block.** Issues are dealt with in a logical sequence by determining which issues lay groundwork for decisions about later issues. E.g.: “*We'll begin with the issue of job description since the issue of salary level depends on what the job description is.*”

One particularly effective time to summarise points of agreement is after the parties have agreed on the list of issues needing discussion, but before they have actually begun in-depth discussion. It is possible in almost any conflict situation to find points that the parties share in common:

- They may both have stated a desire to be reasonable or to get the conflict resolved.
- They are both likely to benefit a great deal from a resolution of this conflict.
- That they have both been willing to attend this mediation session means that they haven't yet given up on this situation and probably indicates a desire to resolve things.
- They may both have said that this conflict has been painful, frustrating, costly, etc.
- They may both have talked about how committed they are to the other party or the mediation process.
- They may both have talked about steps they took in the past to resolve things. Even if these failed, they indicate good intentions to work things out.
- They may both be victims of the same larger forces, such as racial/ethnic tension, financial constraints, violence, etc.
- They may both have indicated that they have made mistakes or over-reacted in the past.

It is possible to identify several areas that the parties agree upon or share in common, even in the most polarized conflict. Pointing these out repeatedly throughout the discussion process is an important contribution to the emotional atmosphere of discussion.

Be cautious! Remember that pointing out commonalities is not about:

- Making up nice things that aren't true. Be sure that any commonalities you talk about reflect things the parties have already said or have agreed upon or that are obviously true.
- Telling the parties that they don't have any real disagreements or that the disagreements aren't significant. At all times the mediator accepts that there are real conflicts. In pointing out commonalities you are merely pointing out that in addition to the areas of conflict, there are also some things the parties agree about.
- Suggesting that resolution is going to be easy. On the contrary, the point is that there is hard work ahead, and that as they enter into this work, it would be helpful for the parties to remember those things that they share in common.

Your credibility as a mediator is probably your most important asset with the parties. Never lie; never exaggerate the prospects for peace. Whatever you point out has to be real and believable

Some Typical Problem-Solving Sequences

Classic problem solving

1. Define the problem.
2. Generate as many options as possible for resolution
3. Evaluate the options
4. Pick the best.
5. Develop implementation plan

Principles first

1. Identify the problems each is facing
2. Agree on the principles each side could support
3. Work on the specific implementation of the principles in the problem areas
4. Devise a clear implementation plan

Future first

1. Define the present state - describe as specifically as possible what is happening now
2. Develop a desired future state - describe the kind of situation or relationship you would like to exist
3. Create a list of possible strategies to reach the future state
4. Analyze the responses
5. Select the best response
6. Specify steps to implement

Joint education/problem definition

1. Identify in broad terms the issues needing resolution
2. Joint education and data gathering concerning the issues
3. Develop problem statements -- for each issue create several problem statements that describe non-judgmental and specifically the problems that need to be addressed in resolving the issue or describe the needs that motivate each party concerning each issue
4. Identify options to resolve
5. Develop recommendations

APPENDIX B. BIBLIOGRAPHY

- Assefa, Hizkias. **Peace and Reconciliation as a Paradigm**. Nairobi Peace Initiative, 1993.
- Ayindo, Babu, Sam Gbaydee Doe and Janice Jenner. **When You are the Peacebuilder: Stories and Reflections on Peacebuilding from Africa**. Eastern Mennonite University, 2001.
- Ayot, M. O. and Patel M. M. **Instructional Methods**, Kenyatta University, Faculty of Education and University of London, Institute of Education, 1987.
- Caritas Internationalis. **Peacebuilding: A Caritas Training Manual**, Caritas Press, 2006. Available in English at: http://www.caritas.org/Upload/P/Peacebuilding_English.pdf, and in French at: http://www.caritas.org/Upload/P/Peacebuilding_french.pdf (also available in several other languages).
- CDR Associates. **Conflict Resolution for Managers and Leaders: The CDR Training Package, Trainers Manual**, 1997.
- Centre for Conflict Resolution. **Skills Development Training for Conflict Transformation**. United Nations Department for Economic and Social Affairs, 2001. Available at: <http://unpan1.un.org/intradoc/groups/public/documents/un/unpan001363.pdf>
- Coser, Lewis A. **The Functions of Social Conflict**. Free Press, 1956.
- Curle, Adam. **Making Peace**. Tavistock Publications, 1971.
- Dugan, Maire. "A Nested Theory of Conflict," in *Women Leadership* 1 (1996): 9-20.
- Duke, James T. **Conflict and Power in Social Life**. Brigham Young University Press, 1976.
- Galtung J., Jacobsen CG. Brand-Jacobsen KF. **Searching for Peace: The Road to TRANSCEND**. Pluto, 2002.
- Galtung, Johann. **Peace by Peaceful Means: Peace and Conflict, Development and Civilization**. International Peace Research Institute, Oslo (PRIO), 1996.
- Kolb, David. **Experiential Learning: Experience as the Source of Learning and Development**. Prentice Hall, 1983.
- Lederach, John Paul. **Building Peace: Sustainable Reconciliation in Divided Societies**. United States Institute of Peace Press, 1997.
- Lederach, John Paul. **Preparing for Peace: Conflict Transformation Across Cultures**. Syracuse University Press, 1995.
- Magesa, Laurenti. **African Religion: The Moral Traditions of Abundant Life**. Orbis Books, 1997.
- Mazrui, Ali. **Power, Politics, and the African Condition: Collected Essays of Ali A. Mazrui, Vol.3**, Africa World Press, 2004.
- Mitchell, Christopher. *The Process and Stages of Mediation: Two Sudanese Cases*, in David R. Smock, ed., **Making War and Waging Peace**. USIP Press, 1993.
- Moore, C. W. **The Mediation Process: Practical Strategies for Resolving Conflict**. Jossey-Bass, 1996.

Ntuli, Pitika P. “The missing link between culture and education: Are we still chasing gods that are not our own?” in M.W. Makgoba (ed.) *African Renaissance: The New Struggle*, pp. 184–199. Cape Town: Mafube and Tafelberg, 1999.

.Quesada-Palm, Dessa. **On Training**.

School of Advanced International Studies (SAIS), Johns Hopkins University. **The Conflict Management Toolkit**, 2005. Available at: <http://www.sais-jhu.edu/CMtoolkit/>.

Ury, William L. Jeanne M. Brett, and Stephen B. Goldberg. **Getting Disputes Resolved: Designing Systems to Cut the Costs of Conflict**. Jossey-Bass, 1988.

Weber, Max. **From Max Weber: Essays in Sociology**, Oxford University Press, 1946. (Translated from the German by H.H. Gerth and C. Wright Mills).

U.S. Agency for International Development

1300 Pennsylvania Avenue, NW

Washington, DC 20523

Tel: (202) 712-0000

Fax: (202) 216-3524

www.usaid.gov