

Presentation: a Leap Forward¹

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«The practice and profession of conflict resolution has reached a comfortable, and therefore dangerous, point in its development. We are accepted, established, and routinely used in many areas. But we are also encountering some serious warning signs that we ought not be afraid to look at and learn from. These signs include the limitations on how we are used, the continuing skepticism about what we have to offer, the mixed results of research and evaluation, the struggles of our professional organizations, and the oversupply of conflict resolution practitioners». No, these are not our words, I wish they were, although we fully agree with them and would even add other signs. These are words of the great Bernard Mayer (2004, preface ix), who anticipated long ago what we are witnessing now in our society. The crisis of mediation is becoming something similar to what happens to the so-called «crisis of the Spanish cinema» that has always existed, at least since I remember, but we have never really questioned what our role has been in this crisis. We have already addressed this issue in the introduction of our last issue: http://revistademediacion.com/en/revista_articulos/15_01-2/

In that occasion we referred to various issues that concern us the most. For what is worth, and according to the debates of mediators on social media and in meetings or talks, the issue increasingly focuses on blaming the public powers for failing to really support mediation. It is true, but it is not only that. Aren't we keeping a typically closed narrative like the one we urge our clients in mediation to overcome? It is a limited and narrow narrative of the good guys and the bad guys that does not respond to some of the questions we should ask ourselves. Some of these questions are:

- What is our role in the crisis? For example, are we sufficiently trained? What is the impact of «express mediators», those trained according to the low requirements of the Civil and Commercial Mediation Act? Do we call other mediators when we face conflicts? If not, why? Why are we reluctant to use what we sell as «miraculous»? Should we understand this, we would be able to understand why so many people have reserves when it comes to use mediation even if they have already heard about it, or what are the expectations about us or what is not convincing in the role we play.
- Are there studies that show the efficiency of mediation compared to other ADR? (For instance, collaborative law, conferencing, conciliation, arbitration, conflict coaching...) There are no many studies allowing us to affirm that mediation is valid and there is a lack of quality processes to assess our interventions. If so, valid in what way? The amount of agreements reached, long term satisfaction ...?
- In the article of this issue of Revista de Mediación, «The Emerging Research of International Parental Kidnapping Mediation» [link al artículo], author Adam R. Zemans deals with the need to review and challenge the studies on the efficiency and effectiveness of our methods, focusing on a very interesting topic, cases of international parental kidnapping, in which mediation has a saying, good mediation I mean. It is interesting to read both the methodological critiques and the proposals he makes. One of the ways ahead requires that studies like this one should be conducted.
- In this regard, Revista de Mediación has always intended to encourage the use and breakthrough in this subject matter, creating a space that allows professionals to pres-

¹ These ideas were in part addressed by the author in his presentation «Mediation: reinvention or death. When the principles of mediation become its biggest enemy» during the 2nd Conference Cycle organized by the «Mediation and Psychology» Team of the Madrid Psychologists Association, on January 13 2016.

ent and share their work. To facilitate this, an article has been included in this issue on how the authors must submit academic articles to our Journal and to other similar publications: «Model for an Academic-Professional Article for Authors: Writing Guide and APA Publication Criteria» [link al artículo].

- Perhaps we should stop and ask ourselves what we mean when we say conflict, what forces are at stake, what are the main elements we need to address. Can everything be explained by such a basic idea like abandon positions and use substantial interests? Do we have a broad view of the conflict and do we know what we pursue? Are our interventions clear? Are we really capable of reaching the most unexplored and stagnated spaces of a conflict? If not, what are we missing? The authors of «Restorative Justice Hubs Concept Paper» [link al artículo] of the Restorative Justice Hubs Leadership Circle from Chicago state in the article we publish here that the, «RJ recognizes that crime is more than a violation of a law; it is a violation of relationships». What provides a broader vision of Conflict Resolution is the opportunity to address issues beyond agreements. This means that we need to understand the conflict in all its scope, with the various aspects that need to be considered and addressed, based on an effective and efficient form of intervention. Not only can we ask more from ourselves but we ought to ask more from ourselves. Adam Zemans recalls in his article the classic definition of mediation proposed by Lon Fuller: «The central quality of mediation is its capacity to reorient the parties toward each other, not imposing rules on them, but by helping them to achieve a new and shared perception of their relationship, a perception that will redirect their attitude and dispositions toward one another» (Fuller, 1970). This classic vision is even more updated than some of those imposed in our field. Let me give Mayer the floor again: «If we are to aid disputants effectively in uncovering and facing the roots of their conflict, we need to understand the interplay of the substantive and relational aspects» (Mayer, 2015, p.275).
- We could also raise doubts about our mediation models. Can we affirm that following an interest-based model is better than following a transformative model and vice versa? For instance, the first article of this issue, «The transforming power of Mediation and Courthouse Conciliation» [link al artículo], by Argentine-born author Gustavo Fariña, seems to agree with that. He challenges the traditional or Harvard model and give good reasons about the need to follow the transformative assumptions. Fariña, he will be joining Joe Folger in Madrid in March for an upcoming workshop, is blunt in this regard. But are these statements enough or do we need further studies to support our decision to accept one model or the other? Research on this topic is being conducted beyond our borders, in the Unites States, for example; but few research experiences occur in our country. One could argue this is due to the fact that we lag behind, and this is true. But, are we going to accept to always be the last ones in conflict research or will we, at some point, make a step -actually not a step but a leap forward?.
- Are we showing we are worthy for big crisis and social conflicts? Where are we at in the so-called «Catalan conflict»? Or, where is our vision on the difficulties to form government in view of the current election results? How do we value and how can contribute to the Syrian conflict and the refugees issue, where there are very closed positions and multiple hidden contrary interests but also values at stake that are questioned every day? Do we have opinions, knowledge, analysis and resolution ways we can contribute with? For example, two professions have come forward as a result of the financial crisis: economists and political scientists appear on the media to present their professional expertise in this regard. And we, as conflict specialist, where are we? We are neither heard nor seen. But, do we really have anything to say in this debate? I am sure we do even if to do so we must question the scope of our logos. We must encourage higher professionalization and deep and enlarge our knowledge spectrum. We cannot limit

ourselves to having a vision that is strongly established in our field of knowledge like the mere transfer of positions to interests, a standpoint far away from of what the current science and postmodern knowledge point out. Conflict is our reflection, study and intervention space, and we need to consider; some scholars call it conflictology, and this is perhaps our science of knowledge. Efforts should be done in its pedagogical aspects; good evidence of this can be found in the article «A Pedagogy for Peacebuilding: Practicing an Integrative Model for Conflict Analysis and Response» [link al artículo], by Mark Hamilton, a member of the editorial team of *Revista de Mediación* and professor of Conflict Analysis and Resolution at the American University and the Inter-American Defense College, both located in Washington D.C. Mark reveals and shares with us real food for thought for those of us who want to further understand conflict and need to explain it to students and question it with them.

- Let's talk about the role of mediators. The main feature of mediation is flexibility; however, we do not apply flexibility to our own professional role but rather put a limiting straitjacket on it that prevents us from efficiently act/intervene because we don't want to omit I don't know what ludicrous commandments. In any case, the problem is not the principles all professions require; the problem is the rigidity with which we understand or make our potential actions to be dependent on these principles. I have to cite Mayer again for he proposes: «to grow beyond [...] our fixation, on neutrality as a defining characteristic of what we do [...]. Our challenge is to change our focus from conflict resolution to constructive conflict engagement and, accordingly, change our view from neutral conflict resolvers to conflict engagement specialists» (Mayer, 2004, p.3).

Due to lack of space, we cannot deal here with his commitment proposal which we find absolutely accurate. We will be back to this topic in other spaces; we believe, though, it is undoubtedly the way ahead of us. «Our clients expect us to have opinions, values views, and ideas, and they need to believe that we are committed to helping them accomplish their most important goals. And they are right to want this. Our work as interveners requires that we learn to function as both advocates and neutrals to fulfill our commitment to our clients and to promote a constructive approach to conflict» (Mayer, 2015, pp. 201-202). In 2004, Mayer made some proposals that we wanted to included here: «that we grow beyond a focus on conflict resolution and consider how we can help people engage in all stages of a conflict process, even when resolution is neither their goal nor their option.[...] we need to get past our primary identification with the third-party role and consider a broader range of roles, in many of which we will not be acting as either neutrals or third parties» (Mayer, 2004, preface, xi). A year ago we addressed in this Journal, see article: «Motivational Interviewing in mediation» (Madrid Liras, 2014) (http://revistademediacion.com/revista_articulos/entrevista-motivacional-en-mediacion/), the need to take on a different role as mediators, to understand conflict as a space in which a person is surpassed, weakened, absorbed and positioned by his/her own narratives, and the need to consider that the main task of a practitioner is to promote change so that the person can overcome the hindrances that only generate uneasiness and chaos. We proposed that to do all this we need to understand how this process is caused and how to move from conflict denial to commitment to overcome conflict. Mediation is much more than a well-intentioned task anybody can undertake to make two or more people or groups agree on something. It is much more, or it should be.

We wish the end this introduction with the same citation one of the authors, Laura López Viera, uses to end her interesting article «The Influence of Nonverbal Language on Mediation» [link al artículo]:

«Your work is going to fill a large part of your life, and the only way to be truly satisfied is to do what you believe is great work. And the only way to do a great work is to love what you do. If you haven't found it yet, keep looking. Don't settle» (Steve Jobs' 2005 Stanford commencement speech, cited in Klein, 2015, p. 173).

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