

Developing mediation models, practices and approaches that incorporate cultural traditions, values and perspectives of Asia Pacific communities.

**PowerPoint Presentation by
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Overview

The project will coordinate a research team of academics with recent experience of mediation research, education and/or training with different cultural groups in Asia-Pacific countries to:

- examine the cultural relevance of their research, education and/or training from the perspective of the participants;
- gain understandings of changes the participants have made to accommodate the conflict resolution traditions of their local communities;

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- discover ways that local, traditional conflict resolution processes could enhance current mediation models and practices, and
- develop and disseminate culturally sensitive mediation models and frameworks for the benefit of mediation educators, practitioners and consumers in Asia Pacific countries, including Australia.

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Australian researchers

- Assoc. Professor Dale Bagshaw, Centre for Peace, Conflict and Mediation, University of South Australia
- Professor Elisabeth Porter, Centre for Peace Conflict and Mediation, University of South Australia
- Professor Nadja Alexander and Polly Walker, the University of Queensland (Australian Centre for Peace and Conflict Studies)
- Professor Di Bretherton, La Trobe University.

- Ms Toni Bauman, Native Title Research Unit, Australian Institute of Aboriginal and Torres Strait Islander Studies
- Dr Craig Jones, SANTOS
- UniSA postgraduate students

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Overseas researchers

- Assoc Professor Ian Macduff, The Victoria University of Wellington NZ (Centre for Conflict Resolution) – previously at The University of Singapore (School of Law).
- Professor Bruce Barnes, The University of Hawai'i at Manoa (Matsunaga Institute for Peace in Hawai'i).
- Professor Graham Hassall, The University of the South Pacific (Pacific Institute of Advanced Studies in Development and Governance).
- Assoc. Professor Amita Singh, Centre for Law and Governance, JNU University, Delhi, India
- Dr Suresh Prasad, Visiting Scholar, University of Sydney

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Current (evolving) project aim

- The project will examine the relevance and effects of Western mediation education and training on dispute resolution practices in Asia Pacific countries in order to develop mediation models, practices and training programs that incorporate the cultural values and perspectives of Asia Pacific communities.

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- This project will address the need for Western mediation educators and trainers to value the way that Pacific Island and Asian peoples conceive and approach conflict, and will suggest ways to co-construct models of mediation which will both privilege local conflict resolution practices and also incorporate the useful aspects of Western models.

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- It is based on the assumption that when training mediators abroad, high priority needs to be given to retrieving and reclaiming local epistemologies - customary or “folk” knowledge - with regard to conflict and its resolution, that is, “knowledge that ordinary people have about causes and ways to deal with conflict in their particular

cultural setting ... not just empirical observation, theoretical research, and systematic testing of methodologies, but also personal experience, intuition, and imagination” (Maiese, 2005: 1).

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Rationale

- This project will address the tendency for dominant Western discourses on mediation and conflict management/resolution to ‘other’ (ignore, marginalise or subordinate) the knowledges and practices of other cultural groups within Australia and the Asia Pacific region in relation to conflict.

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Rationale

- In particular, it has arisen out of a concern that some Westerners are exporting and prescribing Western mediation models or approaches in the Asia Pacific region which are blind to the cultural context of practice, even to the extent of using the same role-plays they use at home in their training.

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Rationale

- This concern is shared by other academics and scholars in the conflict resolution field (Barnes, 2002; Honeyman & Chedlin, 2002). An increasing number of mediation and alternative dispute resolution (ADR) educators and trainers from the United States, Canada, Britain, New Zealand and Australia are working outside their own countries as so-called ‘experts’ in mediation or conflict resolution. These include University academics, private consultants, judges and experts working for Government organisations (Honeyman & Cheldelin, 2002).

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Rationale

- This is partly due to globalisation, which has altered the boundaries of our conflicts and our practices, and the domination of Western ways of knowing. As Honeyman and Cheldelin point out, no matter how well meaning these “experts” are they “may

inadvertently cause harm to persons and parties for whose culture, language, or circumstances ... has left them inadequately prepared” (ibid, p.364).

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We will use case studies to

- illustrate the effects of ‘transplanting’ Western approaches to mediation in the Asia Pacific region;
- assist mediation educators and trainers from different cultural backgrounds to be culturally fluent: that is, to learn from others in the region and acknowledge, respect and incorporate different local and customary cultural norms and values with regard to conflict management and dispute resolution;

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- suggest frameworks and changes to concepts, structures, processes and models of mediation and mediation training in the Asia Pacific region in order to ensure cultural relevance.

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Asia Pacific Mediation E-Centre

- As part of the project we are developing an *Asia Pacific Mediation E-Centre* to promote the study and practice of mediation and conflict resolution, whether by the processes of the legal system or otherwise, for the benefit of diverse cultural groups in the Asia Pacific region.
- The website will assist in bringing researchers and other interested parties together for the purpose of the research and in reporting the research outcomes of this project and will eventually include information about the various local and regional dispute resolution research and other activities in the region.

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Asia Pacific Mediation E-Centre

- The site will also be the focus for ongoing mediation and conflict resolution education, training, information provision, networking and collaborative research activities
- The site will host the *Asia Pacific Mediation Forum website*.

- Essential to the site design will be links to and from all of the relevant dispute resolution organisations involved in the Asia Pacific region and to relevant existing websites.