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There are a number of conflict resolution processes, a number of ways to resolve a conflict. How do we decide which one might be most suitable or the best fit? I'm Marlene. And today I'd like to take up that question with you. Suitability of process is the degree to which a conflict resolution process is appropriate to a given conflict determined by practicality, intent, and needs of the parties.

So any number of factors are in play here-- the number of people involved in the conflict, the location, the stage of the conflict, how intense is it, what are the particular issues, the particular needs. Is there a tech technical expertise required in order to solve the conflict? All of those are factors that go into deciding which process might be most effective.

So here are six processes. Let's take a look at them in terms of suitability. Mediation and restorative justice both have to do with relationship. And the number of people involved-- it could be many people with restorative justice. You have victims, offenders, and community members who are coming together.

And of course, with restorative justice, the focus here is on accountability. It's on dialogue, on all parties being able to hear one another speak. And then they reach an agreement that would allow some sort of restoration on the part of the offender to the victims of the crime. So that's restorative justice.

Mediation also is based on relationship. The conflict might not be as intense or it could have reached a more intense level. What's important is that the parties are willing to come together and collaborate. In a mediation, of course, you have a mediator who is a neutral who does not offer opinions or solutions, is not invested in the outcome. The goal is to get the parties together to collaborate and come to their own agreement. So if the relationship and the parties having dialogue is important, those two processes, of course, address that.

Let's move on and look at collaborative law. Collaborative law, sometimes known as divorce mediation, is also based on relationship. You have divorcing or separating parties who want to work together to come to an agreement rather than go through the court system. But in collaborative law, you do need the technical expertise of a lawyer. You may have a mediator help to work out an agreement but you do have a lawyer evaluating and approving any sort of mediated agreement. So that would be collaborative law, suitability, obviously, for a relationship but you'd need some technical expertise.

Arbitration. Now arbitration is appropriate when you are looking for somebody to actually make the decision outside of the courts. And many businesses choose arbitration to settle contractual matters, legal matters where they have it written perhaps right into the contract that any dispute would be settled by arbitration.

And you could have larger parties that want to meet together. It's not necessarily just two parties although it could be. And once again, you're giving the dispute to a third party who reviews it and makes the decision. So the focus isn't so much here on relationship but it's on the actual decision. And both parties, of course, must agree to this.

Conciliation and shuttle diplomacy. What these two forms of resolving a conflict have in common is that the parties who are in conflict do not meet together in the same room. So they're meeting separately and the conflict resolver is moving between parties, thus the name here shuttle diplomacy, which, of course, was coined by Henry Kissinger back in the early '70s when he was trying to settle the Yom Kippur War. And he was shuttling back and forth between the parties that he was negotiating with.

Obviously, shuttle diplomacy is very appropriate in diplomatic international relations. The focus here, of course, is on tangible outcomes. You are looking for proposals, bringing back and forth requests, questions. It's very tangible items, unlike conciliation.

Conciliation is also used when parties do not want to meet together. Either it's impractical or, perhaps in some cases, potentially dangerous. So they have the conciliator moving back and forth between the two parties. However, in conciliation, there is a focus on the nontangible as well. Those issues and relationship are important, the tensions between the parties, the way they're communicating. The conciliator will address those issues.

So as you can see, all six of these methods are certainly appropriate. Their suitability does depend upon, of course, the parties, the issues and needs, location, stage and intensity of conflict. Thank you for being part of this tutorial. And I certainly look forward to seeing you next time.