



MEDIATION NORTHERN IRELAND

MEDIATIVE WORK with LOCAL GOVERNANCE

A GOOD PRACTICE GUIDE

Mediation Northern Ireland
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The Context

Mediation Northern Ireland has always had the purpose of developing mediative practice as a contribution to macro issues, not just as a contribution in micro disputes. It has understood the civic task of mediation to be 3-fold:

- Dispute Intervention – helping individuals or groups to deal with disputes.
- Enhancing Good Relations – strengthening relationships within and between communities.
- Supporting Social Partnership – empowering citizens and service providers to problem solve collaboratively.

This project, from which the following learning is taken, was begun in 2005 with the stated aim of:

The *Good Relations in Local Governance Project* will assist people in District Councils and other local authorities in their promotion of Good Relations and the resolution of local conflicts by creating or developing local dialogue on good relations.

The term Local Governance refers, not just to Local Government (elected members and officials), but also to other public service providers and influential civic leaders. In short, those influencing or delivering good governance in a local area.

This project was funded through the Community Relations Council by EU Programme for Peace and Reconciliation, Measure 2:1 Reconciliation for Sustainable Peace, Peace II Extension.

The political dynamics within which the project has been delivered has been one of flux. The project began and continued in a context of ongoing negotiation of regional governance agreement. Some of the participants who began as local Councillors were Government Ministers by the time the project ended. It is also of note that there was an ongoing Review of Public Administration during the time of this project.

Some Theory

In this section we outline two underlying theories of change that have formed the basis for the work of this project. The first has directly influenced facilitated engagement. The second has both positioned the project in a broader change context and helped us to understand factors influencing the work of the project (for example, shifts in constituencies attitudes have sometimes determined leadership's ability to participate).



The Civic Imagination

Informed by John Paul Lederach's theory of 'The Moral Imagination' (The Art and Soul of Building Peace, 2005), MNI believe that those who overcome conflict or build peace in society share four fundamental characteristics:

- An understanding of the importance of developing relationships, not just with one's friends or allies but also with others who have significance in a difficult situation.
- A curiosity about these 'significant others' – meaning a genuine interest in them and a regard for their ultimate welfare.
- A capacity for creativity in situations of conflict or contention.
- A willingness to take risks to improve one's situation.

We believe that mediators can contribute to societal stability by strengthening relations between individuals with strategic significance or potential in society; by stimulating their curiosity about significant others; by supporting their creativity and helping them take risks for positive change.

We call this work: 'stimulating the civic imagination'.

Levels of Change

We believe that change takes place at several levels, often concurrently. There is personal change; when an individual begins to reframe issues and possibilities, often after interaction with another individual has brought understanding and insight. This interpersonal engagement is a level of change – commonly between two leaders involved in dialogue or negotiation. A third level of change is within groups or constituencies; when influential leadership, communal experience or external influences change prevailing attitudes and understandings. The fourth level of change, often the most difficult to achieve, is in the interaction between constituencies or communities. Change can also occur through structural arrangements – for example, the Review of Public Administration. A sixth level of change is that of societal norms – for example, change in what is tolerated by society with regard to sectarianism or the use of violence. Finally, change can be inter-societal – for example, European society has been influenced by America's experience of 9/11.

The Project

The purpose of the project was to create a process through which civic leaders were assisted in the development of Good Relations and the resolution of local conflicts.

The planned phases of the project were:

The preparation phase: participants were identified and recruited to the project. A simple management structure was established (steering group and small secretariat) and a series of meetings designed.



The delivery phase: a series of meetings at which conversations on relevant issues were facilitated. A variety of stimuli and participative exercises were used to enhance valuable engagement. During this phase, and between meetings, ‘fieldwork’ was carried out to maintain interest and participation, ensure the value of the process to individuals and to attend to any difficulties arising.

The review phase: at the end of the first series of meetings a review of the process, participation and agenda was used both to ensure continued relevance and value and to design the next phase.

We worked on this project in the following Local Government areas: Belfast (and later in Ballymena), Larne, Newry & Mourne and North Down. The following guidelines come from our learning from that work.

Good Practice

The following are outline guidelines for facilitation of a civic dialogue process. Whilst, for ease of language we refer to “the facilitator” we use a facilitation team made up of a lead facilitator and an appropriate number of assistant facilitators, some of whom may do fieldwork (referred to later). This team will ideally remain the same throughout the life of the process.

Building a Process

Entry

Mediation Northern Ireland has found that the most constructive way of entering work in an area has been through discussions with local government officials. Officials can be useful guides through local nuances of relationships, sensitivities, needs and possibilities. Where there has been previous contact this might be done directly, however, in some cases it has been helpful for colleagues in the field to introduce us as facilitators. After initial exploratory conversations (and particularly after assessment) the mediators can begin to form their own mind and, whilst still strongly influenced, are less directed by officials. The relationship becomes more one of peer partnership.

There have been situations where it has been relationships with local politicians that has provided an entry point for the work.

The timing of the start of a process is important in that the experienced need of local leadership can create an openness to participate in the process. Thus a recent experience of a contentious or conflicted issue that has raised concerns about Good Relations increases energy / motivation for a facilitated process (reactive energy).

A proactive approach by facilitators increases the need for a clear outline of the relevance, value and credibility of the intervention. It is our experience that, particularly in areas where avoidance has been a strong coping mechanism, it can be difficult to achieve progress towards a real process, whilst there is continued



expression of preparedness for a process 'in the right circumstances'. The tension for the facilitator is between committing resources and expertise with no certainty that it will achieve a significant process and being sensitive to advice on how to build slowly on a sound foundation. In this context motivators need to be created or stimulated. The time spent building towards a process increases greatly.

Assessment

An extensive assessment of the situation in the area is a critical building block towards an effective process. It not only provides the facilitators with knowledge of the issues, concerns and potential in that area but it begins to build trust and rapport between local actors and the facilitators. A proper assessment also allows for the constructive framing of issues by the 'outsider' (facilitator).

Through the assessment, and the relationship with officials mentioned above, the facilitator must begin to shape a process which is appropriate for the history, culture and politics of that area. The same model / structure / agenda will not fit all areas.

At this stage a significant amount of 'civic diplomacy' may be required to create a process that will have a balance of relevance to various agendas and sufficient focus.

Participation and Inclusivity

Participation in a process should be as broad as possible, to the extent that membership adequately reflects the local area. However, resources and the requirements for a good facilitated engagement will necessarily restrict numbers. The strategic relevance and quality commitment of individual participants is key. From the beginning the facilitator needs to think as inclusively as possible about potential participation in a process, it is better for the mediative facilitator to be in relationship with all actors, even if some do not participate in the process from the beginning.

The question of inclusivity can be sensitive or contentious and this will be increasingly the case. As Northern Ireland moves toward re-establishing democratic norms the recognition of mandates will be more of an issue. This will be contentious in a time of transition.

Commitment

The final element in this section is about achieving sufficient commitment to a process. It is our experience that it is useful for participants to understand their commitment as being 'in principle' toward a longer-term vision and 'in practice' to a time-limited first phase. Participants should also understand at this stage the commitment expected of them in terms of participation (contributing), time, and the spirit of 'good listening'. For agencies and political parties it is also important for them to recognise the importance of the continuity of an individual's participation. A Good Relations Forum will necessitate participants bringing not only professional expertise and opinions, but also personal experience and insights as a citizen.



Delivering a Process

Content / Agenda

The content of a process should be designed by a small secretariat for ratification (by participants), guided by the assessment report. The content should achieve a balanced mixture of being relevant, engaging and challenging. Whilst a process needs time to develop toward dealing with contentious issues the facilitators need to challenge avoidance where necessary.

In our facilitated Good Relations Fora participants should understand that the content of the process will include attention to relationships of respect as well as issues.

One of the most difficult tasks for the facilitator is to judge how much to elicit the agenda for the group and how directive to be.

At times during the length of the process the same themes / topics have re-emerged several times as needing to be addressed. However, the challenge to the facilitator is the depth of engagement each time.

Facilitation

The facilitator should have prepared participants for the experience of facilitated dialogue. Many will be used to chaired meetings, with a business approach and a minuted record. Participants should understand from the beginning of a process that there would be various means of engagement (plenary discussion, working in pairs or in small groups and various exercises) designed to help participants hear each other, be heard and engage constructively. It is the facilitator's task to engender trust that 'strange' methodologies will lead to valuable dialogue.

For significant encounters, honesty and insight to occur the space within which people are engaging needs to have clear boundaries and ground rules. Thus there should be clarity and agreement from the beginning about, for example, how and how much agency or party representatives report back or disseminate learning.

It is the task of the facilitator to manage the process. For example, during any particular session there may be a need to decide on whether to facilitate a diversity of opinion or conflict on an issue or move on with the planned agenda for the session.

As was indicated earlier about participants maintaining continuity in the process, it is important there be continuity in the facilitation of a process, for example a facilitator who has been in the process from the beginning will understand nuance of expression, reference to earlier engagements or details of the process.



Mediation Northern Ireland has also developed a methodology for sustaining participation. It entails 'fieldwork' on the part of the facilitator or his / her team, noticing and attending to, between meetings, a participant's disengagement, quietness or expressed concerns. Similar fieldwork is used for maintaining trust and rapport between the facilitator and participants or for single identity preparation work, where necessary.

Structure

Part of process design is to ensure that there is good local ownership and commitment to the process in the form of an effective management structure. A useful model has been:

- A steering group to deal with strategic design issues
- A secretariat (of 3 or 4 people, including facilitators) to service the process logistically.

Appraising the Process

Informal / Intuitive

As alluded to throughout the previous sections, the facilitator will be intuitively appraising the progress of the process. The facilitation team and secretariat should regularly check informally with participants how they are experiencing the process. The secretariat should meet at least once between forum meetings and feedback should influence progress of the process, for example continued negative feedback on particular types of exercise should influence the methodologies used by the facilitators

Quantitative / Qualitative

Quantitative appraisal tends to be about attendance, records are kept with regard to attendance, breakdown of participation and numbers of meetings. Each phase of a process will have, as part of its design, agreed objectives. By the nature and purpose of the process the measure of achievement of objectives will usually be qualitative. This should be done both in plenary discussion and flipchart recording and individually on feedback sheets at the end of a phase of work.

For more information on this and other projects visit

www.mediationnorthernireland.org

Mediation Northern Ireland
83 University Street
Belfast
BT7 1HP
Tel: 02890 438614
Fax: 02890 314430
Email: info@mediationnorthernireland.org