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Conflict resolution and peacemaking

Governance is about working together. Working together can lead to differences in people's interests, opinions, and values. These differences can lead to conflicts, disputes, and complaints.

Defining conflict, dispute and complaint

A conflict or dispute is a disagreement between 2 or more parties. Disputes are often short-term disagreements. Conflicts are generally longer term.

A **complaint** is a statement of dissatisfaction where a response is sought, reasonable to expect or legally required.

Conflicts, disputes and complaints can be internal or external.

An **internal** conflict involves 2 or more parties within your group.

An **external** conflict involves a party or parties outside your group.

Handling of conflicts can vary between cultures and places. In some Aboriginal and Torres Strait Islander communities, conflict is a normal part of social life, rather than something people feel shame about.

Defining peacemaking

For Aboriginal and Torres Strait Islander groups, peacemaking often describes processes that aim to reconcile differences and promote harmonious relationships. Components of peacemaking include:

- **Resolution: fixing the issue at the core of a conflict.**
- **Management: working together when a resolution can't be reached easily.**

Peacemaking is an ongoing process requiring commitment, collaboration, and community engagement.

Sustainable peacemaking

Peacemaking should lead to long-term change. This may involve using compromise to reach agreements. All parties should understand why the resolution is necessary.

Those most directly involved in a conflict should be able to take part in peacemaking. The more involved parties are, the more likely the outcome will succeed.

The 'satisfaction triangle' outlines 3 needs to consider for sustainable peacemaking:

Procedural needs (the how): ensure everyone can take part and be listened to.

Emotional needs (feelings): consider people's emotional responses.

Substantive needs (the what): consider the issues people want resolved.

Healing

Peacemaking often involves addressing internal issues within your group. It requires a commitment to healing.

Healing describes the journey of recovery – and transformation – for First Nations people and groups who have suffered and continue to suffer the effects of colonisation.

Healing involves engaging in difficult conversations – in a culturally safe space – to strengthen and build resilient relationships. Healing is ongoing and should be customised for each group.

Think about how you can embed healing into your governing structures, future planning and vision.

Peacemaking processes

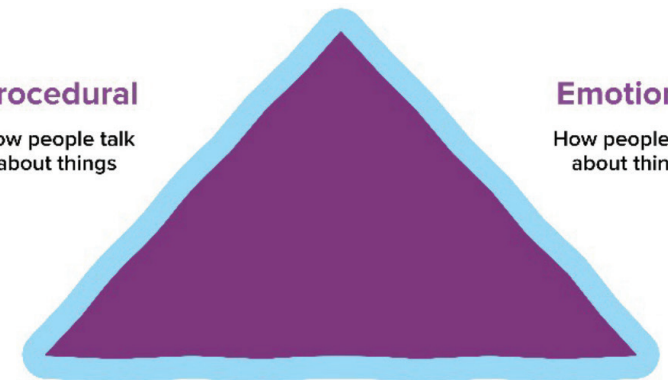Successful peacemaking requires suitable and effective processes. These set out:

- **who should be involved**
- **their roles, rights and responsibilities**
- **procedures, actions and/or options**

Procedural
How people talk about things

Emotional
How people feel about things

Substantive
The things people are negotiating and making decisions about

- guides for communication and discussion
- cultural knowledge and traditions
- timeframes
- requirements for documentation.

Peacemaking is most successful when everyone involved feel ownership over the processes and their rights are protected.

Policies, procedures and rules

It's helpful to formally document peacemaking processes through specific policies procedures.

Peacemaking policies are high-level guidelines for managing conflicts. Policies outline a multi-stage processes and timeframes for resolution.

Policy documents often include:

- **Rules: concrete instructions on managing conflicts**
- **Procedures: specific steps to implement these policies.**

Prevention

Groups can prevent conflict by acting before it escalates.

When designing prevention processes, it is important to:

- **build a strong internal culture**
- **seek feedback**
- **follow through on decisions**
- **identify signs of misunderstanding or tension**
- **provide training.**

Culturally legitimate peacemaking

Effective peacemaking is culturally legitimate. This means it aligns with the cultural values and practices of those involved.

It's also important to balance cultural legitimacy with the regulations of wider society.

These steps will guide you through culturally legitimate peacemaking:

1. **Understand the conflict**
   Analyse the conflict and reach consensus on the 'root' cause.

2. **Identify those involved**
   Identify the parties directly involved in the conflict, and those who will be involved in peacemaking.

3. **Choose your process**
   Select a peacemaking approach. Consider the need for a neutral third party, as well as alternative peacemaking processes.

4. **Choose the right time and location**
   Arrange a culturally safe and neutral space.

5. **Plan your timeline**
   Adapt the timeline based on the complexity of the conflict and needs of those involved.

6. **Discuss the best outcomes**
   Encourage inclusive, sustainable resolutions.

7. **Follow up**
   Gather feedback from involved parties through formal or informal follow-ups.

Community-controlled peacemaking

Community-controlled peacemaking is about maintaining or re-establishing your group's internal processes for peacemaking. Community-controlled peacemaking:

- **Repairs Indigenous forms of authority and social order.**
- **Addresses conflicts in ways free from government interference.**
- **Increases feelings of safety.**
- **Works with community leaders or respected Elders**
- **Is faster, less disruptive and cheaper than external proceedings.**
- **Incorporates your community's unique culture.**

Peacemaking in different contexts

Groups will need to address conflicts in different contexts. For example, between board members, the board and CEO, or management and staff. Groups may also experience conflict with external stakeholders.

Different peacemaking strategies will be more effective, depending on the context. Check if your group has any informal process, or written policies or rules in place.

Types of peacemaking

Key types of peacemaking include:

Informal peacemaking

Supporting people in your group to resolve conflicts among themselves.

Formal peacemaking

Includes written policies for conflict resolution, facilitated discussion between parties, the involvement of Elders councils or professional mediators.

Alternative dispute resolution (ADR)

A collaborative process that provides an alternative to litigation, often with the support of an impartial third party.

ADR processes can include:

- • negotiation
  - • mediation
    - • facilitation

Aboriginal and Torres Strait Islander peoples have been practising forms of ADR for thousands of years. These forms of ADR often focus on restoring relationships in a way that is mutually accepted and customised to suit their needs.

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