



ACR Environment and Public Policy Section Quarterly

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EPP Membership converge on Austin at ACR Conference 2008

by Carolyn Penny

Approximately 900 people participated in the 2008 ACR Annual Conference, "Aspirations, Possibilities, and Realities: Expanding Principles, Practice, and Research in a Changing World," on September 24-27 in Austin, Texas. Along with the sessions and informal conversations involving EPP section members, a highlight of the conference was the keynote address by Lee H. Hamilton, former Congressman, co-chair of the Iraq Study Group, and vice-chair of the 9/11 Commission. Mr. Hamilton included the "Ten Commandments of Conflict Resolution" in his talk. His points included the challenge of convening different perspectives and encouraging participant collegiality, topics that easily apply to environment and public policy dispute resolution.

The ACR Leadership Council, composed of ACR Board



EPP section members in attendance included, front row: Carolyn Penny, Frank Dukes, Alice Shorett; middle row: Kathleen Docherty, Jim Rosenstein, Carolyn Smiley-Marquez, Kirk Emerson; back row: Turner Odell, Gregg Walker, Leah Wing, Cindy Cook, Tamra Pearson d'Estree, Nick White, Flora Le.

members, section chair or co-chair leadership, and chapter leadership, met the afternoon of September

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Sharon M. Pickett leaves a legacy of ADR Leadership by Ramona Buck



Sharon Pickett, writer, editor, mediator and trainer, died Saturday, August 30, 2008, at Casey Hospice in Rockville, Maryland, after a year of fighting cancer. Sharon worked as Director of Communications for many non-profits before starting her own communication consulting business in 1997. She helped to found ACResolution, the magazine of the Association for Conflict Resolution, and served as its editor for 25 issues as well as assisting a number of environmental organizations by editing their publications or organizing events.

The Sharon M. Pickett award was created by the ACR Board prior to Sharon's death, and at Sharon's request, was designed to honor an ACR member who has advanced the cause of environmental protection through ADR. The first such Sharon M. Pickett award was given at the September 08 ACR conference to mediator/facilitator Alice Shorett. Sharon co-mediated and co-trained with Carl Schneider and Mediation Matters for the past ten years and the two were married in December, 2007.

The ACR EPP Section very much appreciates Sharon's work to promote ADR in the field, and she will be deeply missed by her many colleagues and friends.

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24. EPP co-chair Carolyn Penny attended on behalf of the EPP Section. Other participants also have direct ties to the EPP Section - ACR Board Secretary Cindy Cook (former EPP Section co-chair) and ACR Board President Jim Rosenstein (EPP Section member) were present as well. The agenda included introduction of the ACR Board and staff, orientation to ACR website changes, and a report from the Board treasurer. The ACR Leadership Council next meets in February, 2009, in Colorado in advance of the Spirituality Section Winter Retreat.

Along with the Ombuds, Spirituality, Consumer, Restorative Justice, Family, Healthcare, and Workplace Sections, the EPP Section held a brief meeting over lunch on Friday, September 26. Approximately

20 people participated. Participants ranged from practitioners new to the EPP field to veterans with two decades of experience. The agenda included an enthusiastic discussion of the June 11-13, 2009 EPP Section Conference in Denver on the topic of climate change. The group also enthusiastically discussed the upcoming initiatives on professional development and enhancement of the EPP section website.

The 2008 EPP Section Conference is scheduled June 11-13 in Denver, Colorado. For more information about the EPP Section Conference, visit the website at www.mediate.com/acrep/. The 2009 ACR Annual Conference is scheduled from October 7-10 in Atlanta, Georgia. See www.acrnet.org/conferences/ for more information.

Stresses, Limits, and Risk: Imagining the Future of ECR by J. Michael Harty

We are in an era of creative destruction... A bunch of the institutions that we rely on currently will, to some degree, decompose. I believe that much of what we count as democratic politics today will fall apart, because we are simply not going to be able to deal with the scale of change that we are about to face. It will profoundly disable much of the current political class.

John Elkington, New Yorker, February 5, 2008

This quotation caught my attention last winter and provoked my thinking about two questions: are practitioners in the field of environmental conflict resolution (ECR) part of the political class and, if so, what is the significance for ECR of a predicted disabling of that political class due to synchronous stresses?

This article examines these questions in the context of a session I presented at the May 19 ACR EPP Section meeting in Tucson entitled "Stresses, Limits, and Risk: Imagining the Future of ECR." The purpose of the session was to engage colleagues with diverse personalities and perspectives in an initial discussion of the future suggested by John Elkington's quote and the potential implications for our field. The article offers a summary of the session's key points as well as my own perspective in hopes of contributing to the growing number of essential conversations world-wide addressing the question: What shall we do?

Climate change on the scale described in the 2007 Nobel Peace Prize-winning report by the International Panel on Climate Change poses a profound challenge to American democracy. Our EPP session addressed four additional stressors likely to shape America's future: *energy demand and supply, environmental damage, global instability and widening income gaps, and population growth rate differences*. These five tectonic stressors, potentially multiplied by (1) the increasing speed and extent of global connectedness and (2) the escalating destructive power of small groups, form the heart of an argument about the future by Thomas Homer-Dixon in *The Upside of Down* (Island Press 2006). The argument, in part, warns that looking at a single stressor such as climate change misses the profound risks from multiple, synchronous stresses that we cannot isolate or control. A full discussion of Homer-Dixon's thesis is beyond the scope of this article, but it relies heavily on systems theory, complexity, brittleness associated with layered, managed solutions, and adaptive cycles in nature that include periods of collapse.

Part One: Institutions and Values

The first part of our EPP session focused on these questions: *What are the institutions and values that form the foundation for EPP work, and what gives us authority and legitimacy?* The obvious place to start is our constitutional form of democracy, with its three branches of government and core democratic values such as freedom, equality, and free speech and association. Our discussion moved beyond government to consider whether private sector institutions and values are part of our EPP foundation, including “cultural” values. For example:

- Do we rely on the influence of large economic players such as the automobile and oil industries?
- Do we rely on economic values associated with so-called free markets?
- Are we dependent as a professional field on a cultural expectation that there are no limits, as argued by Wendell Berry: “[T]he commonly accepted basis of our economy is the supposed possibility of endless growth, limitless wants, limitless wealth, limitless natural resources, limitless energy, and limitless debt[?]”

The small group discussions covered diverse perspectives on this topic, as might be expected. I invite participants to respond directly to this article. Here is my view: EPP practitioners are in essence an extension of government, particularly the executive branch. Our clients often are federal and state executive branch agencies: they typically fund our efforts, and there is a recurring question about how to balance their needs and interests with our values about being non-partisan. Members of the U.S. Institute for Environmental Conflict Resolution’s Roster appear even more tightly linked to government from this perspective.

The EPP field today has a hard argument to make that it

is not closely linked to government, powerful economic interests, and our culture of limitlessness. We are an extension of the political class in American society. That suggestion understandably may sit heavily on some, and doubtless will feel inconsistent with some personal values linked to identity. My purpose is not to accuse but to stimulate some hard thinking about who “we” are based on the sources of our authority

and legitimacy, and how we may be perceived in a future period of social upheaval that questions, disrupts, and even dismantles institutions and values.

Part Two: Social Breakdown and the Role of EPP

Our EPP session returned to Elkington’s proposal of a future characterized by creative destruction of political institutions and the political class and considered these questions:

Can you imagine a plausible scenario for social breakdown influenced by climate change, either alone or as one of multiple stressors?

In your scenario what is the role for what we do in

developing and implementing environmental and public policy? Consider both sudden change and long-term change.

- How might climate change lead to a disabled political class in the U.S.? How might this occur: quickly, or over an extended period?
- What would be the impacts on legitimacy and authority of federal, state, and local government?
- How might these impacts extend to development and implementation of environmental policy?
- How might familiar institutions and values be changed through creative destruction in your scenario?
- What can you not imagine, and why?

Evidence to support an argument that we are experiencing synchronous effects of the five stressors identified by Homer-Dixon, which could lead to such a scenario, is not hard to find:



Climate change: A challenging talk during the ECR 2008 conference by Dr. Jonathan Overpeck (a coordinator for the IPCC Climate Change report that was awarded the 2007 Nobel Prize for Peace) highlighted potential climate impacts and the confidence attached to future scenarios by the IPCC panel based on current knowledge.

One interesting perspective is the U.S. military's approach to climate change, apart from other stressors.

According to a recent article by a military lawyer, "Stability is at the heart of our national security policy. . . The loss of stability is the primary threat of global climate change." James Stuhltrager, "Global Climate Change and Security," *Natural Resources and Environment* 22, No. 3 (Winter 2008). In terms of risk and military strategy, Stuhltrager describes the disastrous effects of global climate change as a "low probability-high consequence" event.

Energy demand and supply: How about \$4/gallon gasoline, or \$138/barrel oil? Consider the effects on the aviation industry in the United States over the past year including rising ticket prices, charges to check luggage, and the recent grounding of airplanes by United. Homer-Dixon makes a compelling argument about the critical importance of Energy Return on Investment, or EROI, and how declining petroleum supplies increase costs associated with meeting our increasing worldwide energy demands.

Environmental damage: CNN recently reported a story on ocean water quality issues entitled "Dawn of the Dead Zones." California banned commercial and recreational salmon fishing this year due to a collapse of the fishery. And water deliveries from northern to southern California have been significantly restricted due to the population decline of the delta smelt, raising serious questions about future water allocations to agriculture, cities, and the environment.

(1) This article was written in June 2008 and may appear dated in light of subsequent events in world financial, stock, and commodity markets. One example is the bankruptcy of Lehman Brothers in September 2008, the subsequent chaos in markets, and the extraordinary actions of central banks in response. The basic premise of the article appears to be more compelling in light of these events.

Global economic instability and widening income gaps. In the U.S., the Federal Reserve took the unprecedented step of propping up the private investment bank Bear Sterns to prevent a credit market collapse this past spring (1). Recent volatility of commodity prices around the world and the impacts on availability of basic necessities fill the media. One-half the developing

world's population of 2.7 billion people live on less than \$2 a day. In 2006 the world also had 793 billionaires with a combined wealth of \$2.6 trillion. The NY Times reported on April 16 that some individual hedge fund managers are entitled to compensation approaching \$3 billion apiece. Instability and income gaps are frequently excused as part of the price of capitalism, but my growing view is that we are faced with increasingly

significant long-term consequences and that the excuses are losing their power to reassure.

Population growth rate differences and megacities.

There is an ongoing debate about global population growth that merits attention in the context of other stressors. According to Homer-Dixon, in 50 years the total population of rich nations is projected to be close to its current level (1.2 billion) while the population of poor nations will increase by 2.5 billion (to 7.8 billion). If these estimates are accurate they forecast a profound population imbalance with significant implications for peace and stability.

My sense is that the discussion groups in our session reached similar places: a scenario of social breakdown driven by climate change and other stressors is imaginable and even plausible. Not unexpectedly, the groups struggled to imagine the role of EPP in such scenarios. We did not jointly discuss a more challenging question: whether such a scenario is likely or even certain. One important driver would be the pace of climate change—gradual or abrupt—and uncertainty dominates the discussions. A conclusive answer is not



within our present reach, but there clearly are good reasons to improve our field's appreciation for the spectrum of potential outcomes and risks. My argument for some next steps follows.

Part Three: Next Steps

The last part of our EPP session addressed "what shall we do" questions, including:

- Is there a discussion to have as a field? Is it already happening?
- What might be the questions?
- What are the obstacles?
- Is it too big? Too far off?
- Does uncertainty overwhelm?

The SRO crowd at a session on climate change at the ECR 2008 conference and the content of some of the discussion suggests the answer to the first bullet is "yes." Framing questions to move that discussion forward is an important next step. Next year's EPP conference on climate change in Denver will reflect attention to this task and, perhaps, progress toward answers that can provide the basis for action.

Here is my perspective: opinions about the likelihood of a social breakdown scenario suffer from an authority problem at this time. The scope, complexity, and uncertainty that must be addressed in formulating an opinion will make it very difficult to persuade for the foreseeable future. Climate scientists took the step of assigning confidence levels—e.g., low confidence, high confidence—to their predictions of climate change effects in the IPCC reports, and this is as authoritative as it gets. However, translating these physical impacts to social ones is not a science. Here I believe an approach that focuses on risk is instructive. The American military appears to evaluate climate change alone as a high consequence event with implications for social stability, despite the uncertainty associated with the science. I suggest our field adopt a similar approach that begins with opening our eyes, acknowledging the potential for group denial, and committing ourselves to inquiry and dialog. My justification is the potential for unprecedented consequences for our democracy if the merely plausible becomes reality.

I'll close with this quote from C.S. Holling (by way of Homer-Dixon):

The only way to approach such a period, in which uncertainty is very large and one cannot predict what the future holds, is not to predict, but to experiment and act inventively and exuberantly via diverse adventures in living.

Homer-Dixon and others argue that an uncertain future likely will place a premium on resilience, experimentation, and invention, and I encourage you to consider this general proposition and begin to generate ideas about how to promote these qualities as individuals and as a field. Along the way, consider the question raised above about our link to government and the ruling class. Are we more comfortable waiting for government to support our involvement in efforts to address the future, and do we need to move out of our professional comfort zones? My answer to both questions is "yes." If deep change is needed rather than managed solutions, where do our interests lie? Can our field take the initiative in promoting the kinds of cross-cutting, silo-dissolving, risk-taking experiments that will educate and support the process of building social capacity for a future period of profound change? My answer to these questions is: Let's have this conversation. But in the meantime, don't wait to experiment before the answers are clearer. Let's think, let's talk, but let's also act.

J. Michael Harty is an independent practitioner doing business as Harty Conflict Consulting & Mediation (HCCM), located in Davis, California. He has over 12 years of direct experience in the field of conflict management and resolution, and before that almost ten years as a practicing lawyer. Harty's diverse practice includes consulting with public sector and private clients about conflict management strategies, mediation of natural resource conflicts involving water, ecosystem restoration and endangered species, and evaluation of public policy decision making processes such as California's Marine Life Protection Act Initiative. He previously worked for CDR Associates in Boulder, Colorado, and the Center for Collaborative Policy, in Sacramento, California.

Science and Environmental Expert to lead US Institute

by Libby Washburn

Mark Schaefer, who has held high-level science and environmental policy positions in the federal and nonprofit sectors, has been named to head the Tucson-based U.S. Institute for Environmental Conflict Resolution (U.S. Institute). Schaefer's title will be deputy executive director for environmental conflict resolution of the Morris K. Udall Foundation, which is the parent agency for the U.S. Institute.

"Mark has more than 20 years experience dealing with environmental problems in a variety of positions, including as a scientist, manager and policymaker. He brings to the U.S. Institute a commitment to conflict resolution processes and collaborative decision making, along with his deep substantive knowledge about environmental and natural resource issues," said Ellen Wheeler, executive director of the Morris K. Udall Foundation. "We are excited to have Mark join us."

Terry Bracy, chair of the Foundation's board of trustees, said, "Mark is a world-class talent. He was a sub-Cabinet official, the Interior Department's top scientist, and also demonstrated entrepreneurial skills in helping to build a leading nonprofit organization in the conservation community. An additional benefit is that he once worked under Mo Udall and served as a member of our Board. I am tremendously pleased to have someone of Mark's stature join our team in Tucson."

From 2000 to 2006, Schaefer was president and CEO of NatureServe, an international nonprofit scientific organization providing information and analytical tools to inform conservation decision making. Before that, he served as deputy assistant secretary, and later acting assistant secretary, for water and science of the U.S. Department of the Interior, as well as acting director of the U.S. Geological Survey for part of that time.

Schaefer was the chair of the National Science and Technology Council's Ecological Systems Subcommittee, responsible for coordinating ecosystem science activities across federal agencies. From 1993 to 1996, Schaefer was assistant director for environment in the White House Office of Science and Technology Policy, where he was responsible for a variety of energy and environmental science, technology, and education issues.

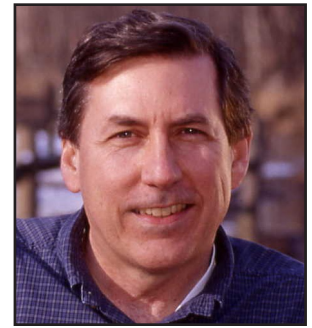
Schaefer recently has been a senior advisor to several organizations on environmental science and technology policy, including the Woodrow Wilson International Center for Scholars. Schaefer was CEO of the Global Environment and Technology Foundation, an organization dedicated to the advancement of sustainable development and environmental technologies worldwide. From 1989 to 1993, he served as senior staff associate and director of the Washington office of the Carnegie Commission on Science, Technology, and Government.

He was a congressional science fellow and staff member at the Office of Technology Assessment of the U.S. Congress from 1987 to 1989, and was with the U.S. Environmental Protection Agency's Office of Research and Development early in his career.

While at Interior, Schaefer served as a member of the board of trustees of the Udall Foundation. He later was a member of a federal advisory committee for the Foundation that was focused on environmental conflict resolution.

"After serving as a trustee of the Foundation and as a member of the National Environmental Conflict Resolution Advisory Committee for the U.S. Institute, I am pleased to return to the Foundation in this position and look forward to working with the broader conflict resolution community to help find practical solutions to the environmental challenges facing the nation," stated Schaefer.

The U.S. Institute is a federal program established in 1998 by the U.S. Congress to assist parties in resolving environmental, natural resource and public lands conflicts. The Morris K. Udall Foundation is an independent federal agency based in Tucson, Arizona. It operates scholarship, fellowship and internship programs for studies related to the environment and Native American issues, as well as the U.S. Institute for Environmental Conflict Resolution. More information on the U.S. Institute and the Foundation can be found at www.ecr.gov and www.udall.gov.



A Cultural Dimension of Public Dispute Resolution: Findings from the Hantan Dam Case in South Korea

by Jujin Chung

An Overview of Conflict

The Hantan Dam construction was decided by the South Korean government in 1999 after severe floods in 1996, 1998, and 1999 in the northwest of South Korea. The government identified the Hantan Dam as the most effective flood control measure. The Ministry of Construction and Transportation (MCT) and the Korean Water Resources Corporation (KWRC) established a master plan in 2001 to construct a dam of 85 meters high and 705 meters wide across the Hantan River. The plan, influencing the three counties was to fully submerge four villages relocating 960 residents in 297 households, 2,158,000 square meters of farming fields, 1,555,000 square meters of rice fields, and 4,452,000 square meters of forest.

Local residents at stake were divided into two, favoring and opposing the dam plan. Residents opposing the dam expressed concerns about the dam's potential impact on farming, area development, and environment, and the safety of the dam itself. Most people from the villages to be submerged supported the dam partly with sympathy for residents who suffered from previous floods and interest in compensation. Many residents were struggling with debts they had incurred to establish new farming projects with the decline of traditional rice growing. They considered that it could be better to start new lives in other villages after receiving compensation and paying back debts.

Opposing residents began organizing themselves immediately after the government announced the plan in October 2000. The opposition side consisted of a small group of residents from areas to be submerged, and local citizen and environmental groups became more vocal in 2001. The dispute between opposing groups and government agencies became more confrontational without any common ground being found.

Meanwhile, residents' lives in areas to be submerged were directly influenced by the release of the dam plan. They could neither sell their property nor



renovate houses and business facilities because of uncertain future. In the beginning they were not vocal in seeking the government's attention. But as the opposition groups' protest became stronger and drew attention from the media and the government they found themselves excluded from discussions. They started strategically organizing themselves. They sent a petition to the government in late 2001 asking the government to start groundbreaking work as soon as possible so that they could end their unstable living. They organized ad-hoc groups in 2002 and expressed their support for the dam construction in a more straightforward way.

In 2002 and 2003 the dispute became more expressive and confrontational. In response to the strong protest, government agencies revised the original plan to build an environmentally-friendly dam. But the dispute became worse with parties' unchanging positions and incompatible interests.

Hantam Dam Mediation and Research

The Hantan Dam dispute was mediated from June to August 2004 and parties failed to reach an agreement to resolve the dispute. Twelve representatives from four stakeholder groups participated in the mediation: four from supporting resident group, four from opposing resident group, two from environmental group, and two from government agencies. The Presidential Commission on Sustainable Development (PCSD), which designed and sponsored the process, selected four mediators. The duration of mediation had been already set by the PCSD and in case of failure parties

should refer the case to the PCSD for the final decision. Parties met once a week at the PCSD office, usually for all-day meetings.

Throughout the mediation parties engaged in positional negotiation. Most of the mediation time was invested in arguing over conflicting technical and scientific data. Parties could only confirm conflicting positions without finding common ground. As the deadline of mediation was approaching, parties and mediators became impatient and felt some social pressure. Under this pressure to produce a positive result, the parties agreed to hand over their decision-making power to the mediators at the last meeting. Parties and mediators signed an agreement that authorized the mediators to make the final decision in one month. The agreement contained the detailed post-mediation process that should be carried out by third parties or former mediators, conditions the final decision should satisfy, and procedures that should be taken after the decision. It especially emphasized that parties must not defy but rather abide by the final decision under any circumstances.

Third parties, former mediators, organized an advisory group consisting of professional engineers. This post-mediation—more like arbitration—process took more than two months, mainly because all third parties were not professional third parties and had full-time jobs. The final decision arrived at on 2 November 2004 was to nullify the original dam plan and build a smaller-size dam and two riverbanks. All parties except government agencies resisted the decision that was clearly against their interests, and criticized it as being unfair and partial. The supporting resident group asserted that they could no longer be patient and engage in a new round of discussion. The opposing side argued that the whole process was wrong and must be re-evaluated from the beginning. Third parties invited all parties to a debriefing to explain the decision in detail. But the opposing side rejected the invitation and refused to participate in the next process. The Hantan Dam dispute resolution designed to build consensus among parties ended there.

In September 2005, the government organized a special committee chaired by the Prime Minister to deal with the Hantan Dam case. In August 2006, the committee announced its final decision to construct a small-size environmentally-friendly dam across the Hantan River and build a riverbank. The opposing side strongly criticized the decision and affirmed their continuous protest against the dam construction. The

government's decision has not been implemented because of the strong protest by the opposing side that is still continuing in June 2008.

I carried out a research on the Hantan Dam dispute in the summer of 2006 for a chapter of my doctoral thesis. I interviewed people who had participated in the Hantan Dam mediation as parties to dispute and third parties. I identified sixteen people as potential interviewees and interviewed thirteen of them between one hour and one and a half hours each. A semi-structured interviewing was used to generate valid data in an effective way. Different sets of questions were prepared for parties to dispute and mediators because they had participated in the mediation with different purposes and roles. All the interviews were recorded in a notebook at the scene and typed later on. A tape recorder was not used for a cultural reason. The use of a tape recorder is not common in South Korea and can make interviewees uncomfortable and vigilant.

This paper summarizes the cultural aspect of the Hantan Dam case. I analyzed parties' interactions in the dispute and mediation, and conceptualized them relating to discussions on culture and conflict resolution. This conceptualization enables to understand parties' certain behaviors, attitudes, and interactions in the dispute and mediation that look different or deviant from the general information cultural studies provide. This cultural analysis and conceptualization were possible because I could understand parties' actions and their cultural connotations as a person from the same culture.

A Cultural Dimension of Public Dispute Resolution

1. Conflict over Public Policy

Augsburger (1992) writes that "conflict is universal yet distinct in every culture." This statement highlights the essence of the cultural approach to conflict resolution. It manifests that the way people understand and deal with conflict is different from culture to culture, and conflict resolution mechanisms and practices formulated and developed in Western cultures must be reinterpreted and modified, if necessary, when they go to non-Western cultures. This cultural approach is now broadly accepted in the field of conflict resolution.

There are two sets of constructs that are commonly utilized to explain cultural differences: individualistic vs. collectivistic and low-context vs. high-context cultures. Individualistic cultures are generally associated with low-context cultures and collectivistic cultures with high-context cultures. People in

individualistic/low-context cultures are different from those in collectivistic/high-context cultures in terms of understanding conflict, dealing with conflict, and negotiating with the other party to conflict. It is generally understood that in collectivistic/high-context cultures, conflict is perceived as dysfunctional with a low tolerance level for differences. By contrast, conflict is perceived as functional when it occurs in individualistic/low-context cultures that show a relatively high level of tolerance for diversity (Ting-Toomey, 1985). In individualistic/low-context cultures people value autonomy, self-reliance, self-esteem, and equality, and are more likely to utilize confrontational, direct, one-to-one negotiation style for conflict resolution. People in collectivistic/high-context cultures are more dependent on non-confrontational, indirect, triangular resolution style. They value harmony, solidarity, interdependence, face-saving and hierarchy (Augsburger, 1992).

There is no pure collectivism or individualism and certain cultures are just more inclined to collectivism or individualism. South Korea shows the characteristics that many other collectivistic/high-context cultures have and is classified as one of them (Hall, 1976; Hofstede, 1997). Koreans tend to perceive conflicts as negative situations that represent one's inability to maintain harmonious relationships with others. They think conflict occurs when at least one person does not behave properly toward another or someone is selfish or insults another person. They do not recognize conflict with those who do not have any relations or connections with them. Koreans understand that conflict is the breach of harmonious relationships with those who are often their in-group members such as families, friends and colleagues. The ultimate goal of conflict resolution for them is therefore to restore harmony (LeResche, 1992). They utilize sophisticated strategies of persuasion, appeasement, compromise, and soft negotiation for conflict resolution in order not to aggravate already stiffened relationships.

Behaviors and attitudes that parties to the Hantan Dam dispute showed were deviant from the analysis of collectivistic/high-context cultures suggested by studies on culture and conflict. Parties understood the dispute not in a negative but a positive manner in terms of advocating their causes and pursuing their interests. The supporting residents decided to engage in the dispute when it was preoccupied with debates between opposing groups and government agencies. They organized themselves to be recognized as a party and make their voice heard. The environmental and

opposing resident groups were more active than the other side in advocating their cause and confronting the government. They considered that their efforts to formulate a more visible dispute could help them resolve the dispute in a desirable way. Participants' negotiation behaviors in the mediation were also deviant from the ways that people in collectivistic cultures usually show. They did not rely on indirect, non-confrontational, and sophisticated ways of negotiation. They were, rather, confrontational and aggressive with each other. They were not afraid of maintaining their positions and aggravating their relationships.

This deviance is well understood by attending to the Hantan Dam dispute's core characteristic. Articles on culture and conflict generally focus on behaviors and attitudes of people engaged in interpersonal conflicts. But the dispute was over public policy that is expected to be designed and implemented for the common good and discussed in the public sphere. Parties were uncomfortable with engaging in an open dispute but considered that it was inevitable to respond in a straight way to the irresponsible government and advocate their rights in public. The deviance is therefore explained when public dispute is separated from interpersonal conflict and analyzed in a different way.

2. In-group Goals and Role Performance

In fact, the parties' negotiation behaviors were not fully deviant from the general tendency of individuals in collectivistic/high-context cultures. The fact that the parties were involved in a public dispute had a great impact on the strategies they utilized for negotiation. Their behaviors are interpreted in conjunction with a couple of significant characteristics that collectivistic/high-context cultures have.

In-group vs. out-group attribute is commonly utilized to explain the difference between collectivistic/high-context and individualistic/low-context cultures. In general, people in collectivistic/high-context cultures behave more differently toward members of their in-groups who are considered to share a common fate than toward members of out-groups. When there is conflict between in-group and individual goals, in-group goals have priority over individual goals in collectivistic/high-context cultures. The significance of in-group fate, in-group achievement, and interdependence within the in-group are emphasized and shared among members (Triandis et al, 1990).

Parties, especially from the resident groups, were

keen to pursue their in-group interests and goals. They were sent to the negotiation table by their in-group members to negotiate for common interest. They granted priority to in-group goals and put aside personal face-saving or relationship-building issues. They clearly draw a line between official negotiation and personal relationship building. They engaged in confrontational negotiation in official meetings and tried to offset personal loss of face in informal settings. The relationship building in the informal setting did not contribute to the change of positional negotiation in the formal setting due to parties' pursuance of in-group interests.

Parties' direct and confrontational negotiation behaviors in the mediation are also explained by the notion of role performance. A role is behavioral expectations associated with a particular position in a group. The level of expectation for individuals' ideal role performance is higher in collectivistic/high-context cultures where social structures are tighter than those of individualistic/low-context cultures. In this context, collectivistic/high-context cultures allow less deviance from the ideal role than other cultures do (Gudykunst and Ting-Toomey, 1988).

Parties were fully aware of their community members' high expectations for their ideal role performance and encouraged to engage in the direct and confrontational negotiation. There was no written statement about the expected role performance but they were committed to playing the right role to pursue their in-group interests. The ideal role performance for them was not to compromise their groups' positions. As a matter of fact, parties' efforts for saving face in the informal setting and improving the understanding of other parties were deviant from the ideal role performance expected by their communities. But their cognitive and prudent behaviors that separated their formal interactions from informal ones allowed them to avoid the deviance from the ideal role performance.

3. High-context Communication and Interpretation

According to Hall (1976) who first suggested the relationship between culture and communication style, high-context communication transmits only minimal information and, by contrast, low-context communication transmits most information through the message. In low-context cultures words represent truth and fact but in high-context cultures what is not said is sometimes more important than what is said (Ting-Toomey, 1985). High-context communication is the prominent communication style in collectivistic

cultures and a low-context one in individualistic cultures. For this reason communication in collectivistic cultures that mostly rely on high-context communication is less direct and more ambiguous than in individualistic cultures (Gudykunst and Ting-Toomey, 1988).

Studies on collectivistic cultures emphasize the distinction of high-context communication in terms of transmitting messages. But this high-context communication that utilizes implicitness, indirectness, and ambiguity to transmit messages is also distinct in receiving messages. People in collectivistic cultures are accustomed to using wisdom, experience, and imagination to interpret messages transmitted by high-context communication. They are prone to interpret messages employing their skills developed to understand high-context messages even when messages rely on low-context communication and transmit only fact and truth. Parties in the mediation showed this tendency of mobilizing high-context interpretation skills to understand others and interpret unspoken messages.

Parties relying on high-context communication often analogically interpreted messages and behaviors of other parties and mediators. This analogical interpretation of spoken and unspoken messages was partly embedded in mutual distrust. In addition, they did not know one another and had to employ interpretation skills to find out underlying meanings of messages. Their tendency to find underlying meanings is shared with most Koreans who are familiar with indirect, high-context communication. This communication style parties showed in the mediation generated suspicions about what others said.

Parties did not fully trust mediators but expected that mediators could play an important role in solving their problem. On the other hand, mediators were eager to help participants. In the middle of mediation they suggested that parties stuck in positional negotiation should consider other forms of process that could help them conclude their dispute. The parties analogically interpreted this message and concluded that the mediators were ambitious to make a successful case out of their dispute. When the parties were considering authorizing the mediators to make a decision, the mediators took it as a good sign to conclude the dispute in the next process. They persuaded the parties to sign the considered agreement and especially promised the opposing groups that had been more positional a good result. The opposing groups tried to

find the message's underlying meaning and interpreted that the mediators could help them win the case. For this reason, they were convinced that they had been deceived by the mediators who made the final decision without nullifying the dam plan.

The supporting resident group clashed with the environmental group when one participant from the group mentioned his ability to seek the help of a high-ranking official to discuss compensation issues. Participants from the supporting resident group were convinced that the message contained unspoken facts and meanings. They considered that high-ranking officials were supporting the cause of the opposing groups and their negotiation would not generate any good result for them. According to them, the message had implications of the close relationship between the political sector and the opposing groups, and the existence of invisible political influence on the mediation. In fact, the mediation was an independent process and process designers made efforts to make it independent from political influence whenever there was unexpected outside pressure.

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Jujin Chung passed his doctoral degree defense in Peace Studies at the University of Bradford. The degree will be awarded in December 2008. The research on Hantan Dam mediation was carried out for his doctoral thesis.

The ACR EPP Section is always looking for articles and story ideas for the newsletter. Contact the Communications Committee Chair, Bryant Kuechle at (208) 739-3048 or bkuechle@langdongroupinc.com. In January, Jeff Edelstein will be taking over duties as the Communication Committee Chair. He can be reached at edelstein@psouth.net or (207) 247-8024.

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Vacant, Chair, Membership and Section Conference Planning

Conferences and Dates of Interest by Catherine McCracken

**Note: Information correct as of October 31, 2008 – be sure to confirm via organization websites.*

National League of Cities 2008 Congress of Cities

November 11-15, 2008

Orlando, Florida

For more information: www.nlc.org

Water Environment Federation TMDL (Total Maximum Daily Load) 2009: Combining Science and Management to Restore Impaired Waters

Call for Proposals Deadline: November 12, 2008

(for August 9-12, 2009 Conference)

Minneapolis, Minnesota

For more information: www.wef.org

4th National Conference of Minority Professionals in Alternative Dispute Resolution

Call for Proposals Deadline: November 14, 2008

(for May 18-20, 2009 Conference)

Columbus, Ohio

For more information: www.law.capital.edu/adr

International Association of Facilitators

November 26-28, 2008 (Australia/New Zealand Conference, Bathurst, New South Wales)

April 20-25, 2009 (North America Conference, Vancouver, British Columbia)

For more information: www.iaf-world.org

Society for Range Management 62nd Annual Meeting

Registration closes December 5, 2009 (for February 8-12, 2009 Conference)

Albuquerque, New Mexico

For more information: www.srmmeetings.org

National Council for Science and the Environment 9th National Conference on Science, Policy, and the Environment

"Biodiversity in a Rapidly Changing World"

December 8-10, 2008

Washington, DC

For more information: www.ncseonline.org

6th National Environmental Conflict Resolution Conference

U.S. Institute for Environmental Conflict Resolution of the Morris K. Udall Foundation

Spring 2010

Location and dates to be announced late 2008

For more information: www.ecr.gov

American Bar Association Section of Dispute Resolution 4th Annual Arbitration Training Institute

February 18-21, 2009

Hotel Nikko

San Francisco, California

For more information: www.abanet.org/dispute

American Bar Association 11th Annual Section of Dispute Resolution Spring Conference

April 15-18, 2009

New York, New York

For more information: www.abanet.org/dispute

Earth Day

April 22, 2009

For more information: www.earthday.org

American Planning Association's National Planning Conference

April 25-29, 2009

Minneapolis, Minnesota

For more information: www.planning.org/nationalconference

National Tribal Environmental Council Conference

May 10-15, 2009

Bar Harbor, Maine

For more information: www.ntec.org

United Nations Environment Programme World Environment Day

June 5, 2009

For more information: www.unep.org/wed

2009 ACR Environment & Public Policy Section Conference

June 11-13, 2009

Denver, CO

For more information: www.mediate.com/acrepp

2009 National Association of Counties Annual Conference

July 24-28, 2009

Nashville, Tennessee

For more information: www.naco.org

94th Ecological Society of America Annual Meeting

August 2-7, 2009
Albuquerque, New Mexico
For more information: www.esa.org/meetings

139th American Fisheries Society Annual Meeting

August 30-September 3, 2009
Nashville, Tennessee
For more information: www.fisheries.org

2009 International City/County Management Association Annual Conference

September 13-16, 2009
Montreal, Quebec
For more information: www.icma.org

2009 Society of American Foresters National Convention

September 30-October 4, 2009
Orlando, Florida
For more information: www.safnet.org

9th Annual Association for Conflict Resolution Conference

October 7-10, 2009
Atlanta, Georgia
For more information: www.acrnet.org/conferences

Association for Conflict Resolution - Conflict Resolution Day

October 15, 2009
For more information: www.acrnet.org/crday

137th American Public Health Association Annual Meeting

November 7-11, 2009
Philadelphia, Pennsylvania
For more information: www.apha.org/meetings

American Water Resources Association 2009 Annual Conference

November 9-12, 2009
Seattle, Washington
For more information: www.awra.org

13th National Brownfields Conference

November 16-18, 2009
New Orleans, Louisiana
For more information: www.brownfields2009.org



Denver will host the EPP 2009 Conference, June 11-13
Detailed information forthcoming

About the ACR Environment and Public Policy Section Quarterly: The quarterly newsletter of the EPP Section, ACR Environment and Public Policy Section Quarterly, is a publication of the Association for Conflict Resolution, a professional organization dedicated to enhancing the practice and public understanding of conflict resolution.

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