What’s Next in the Conflict Profession?

Reflections on Embracing Uncertainty and Serving Others

In the spirit of full disclosure, I confess that I have no idea where our profession is headed. However, as I reflect upon the future of the conflict engagement profession, two emotions embrace me—uncertainty and an urge to be of service to others. I am excited about the possibilities that lie at the core of this uncertainty, including the developments that provide us with extraordinary possibilities to be of service to others and our profession's demographic changes.

DEMOGRAPHIC CHANGES

According to the 2010 U.S. census, approximately one-third of the U.S. population, are expected to be the majority in 2042. The Latino population, currently comprising about 15% of the total U.S. population, is projected to double by 2050. This means that nearly one in three U.S. residents will be Latino. The Asian population is also projected to increase from 15.5 million to 40.6 million. The elderly population is increasing, and so is the number of bicultural marriages.

These demographic changes provide an opportunity for practitioners and scholars in our profession to reflect upon our teaching, research, and practice. Some inquiries come to mind:

- What kind of novel conflict dynamics will emerge?
- How will these demographic changes affect the choice of mediators, facilitators, teachers, and practitioners in general?
- How will current dispute system design programs function in light of these changes?
- How will the changes affect current conflict engagement processes grounded in positivist frameworks anchored in neutrality, individual needs, and objectivity (e.g., interest-based negotiation and mediation)?
- How will the profession prepare to provide services to a population from different cultural backgrounds that may have a limited or no facility with the English language?

Continuing demographic changes provide an opportunity for practitioners and scholars in our profession to reflect upon our teaching, research, and practice. Although our profession has made significant strides in diversifying processes that are culturally sensitive and address individual cultural needs for those in conflict, we still have a long journey ahead to provide adequate culturally competent conflict engagement processes. For example, academic institutions have fewer women, African American, and Latino conflict faculty when compared to Latino youth. One can observe the same lack of diversity with conflict engagement practitioners such as mediators and facilitators. I predict that the demographic changes will be an excellent opportunity to expand our professional diversity and create innovative processes that are culturally sensitive as conflict professionals.

As conflict professionals, we can support others in their ability to constructively engage with those of diverse backgrounds as a source of conflict.

CHANGES IN THE FUTURE OF LEGAL EDUCATION

The legal profession and law schools are going through a significant transformation. One only has to browse through newspapers and magazines such as the New York Times and Washington Post to read about the crisis in the legal profession and legal education. Of course, most of us in the conflict profession are trained to seek out opportunities where others see crises. In 2014, the American Bar Association created a Task Force on the Future of Legal Education to develop specific recommendations to improve the legal education in response to financial and other challenges our legal profession is facing.

The Task Force recommended that law schools be more innovative in preparing future lawyers for the professional responsibilities they will face upon graduation. It called for moving toward a more competency-oriented model in which students are prepared not only to know the law, but also acquire specific skills through experiential learning. It also recognized dispute resolution as a fundamental source of social order and invited universities to develop educational programs to train individuals, other than lawyers, to provide limited legal services.

The Task Force's proposed shift in paradigm will impact us on how law schools and legal education programs in the United States collaborate with each other. Underneath all that appears to be changes in the law school curriculum lies a professional identity crisis for law school faculty, which creates some extraordinary opportunities for our profession to deal with our own identity dilemma as a discipline.

- What is the role of our disciplinary ambiguity in the process of collaborating with law schools to form a new generation of lawyers?
- What are the core beliefs and assumptions that drive the acceptable and expected behavior for a conflict studies/ADR professor?

As a conflict resolution service provider, I am certain that at both the legal and conflict resolution professions reflect upon their identities, we will begin to see a more productive conversation and interdisciplinary dialogue that will benefit of great service to both professionals and students.

I foresee conflict programs participating more actively in providing law students with many of the skills sets that they need to achieve conflict competency and be better lawyers. Through experiential learning, which is at the core of most conflict engagement programs, law students will acquire skills such as active listening, reframing, acknowledgment as a sign of strength as opposed to weakness, and collaborating with others. Anecdotally, at my home institution, the Werner Institute at Creighton University School of Law, students who go through our joint degree program and graduate with a law degree and a Masters in Science of Negotiation and Conflict Resolution often stress how these skills are instrumental in securing and retaining jobs. As a result of finding better ways of collaborating with law schools to support the development of future lawyers, I am hopeful that many of the historical disciplinary boundaries between conflict studies and law will be transformed to strengthen our students' education.

BEYOND MEDIATION AND NEGOTIATION

The community at large is beginning to see that conflict professionals can and do provide services beyond negotiation and mediation. Just recently, I read an article in The Chronicle of Higher Education that discussed the University of Mississippi’s recent racial conflicts and the university president’s resignation, and suggested that facilitative processes could serve as a good way of facing facts and misunderstandings about one. I foresee an increase in processes such as World Cafe Dialogues, Open Space Technology, Appreciative Inquiry, and Dispute System Design, just to name a few. This means that there will be a robust in the spectrum of conflict services provided to clients and in the need for courses and workshops that enhance facilitative skills. It also means that through the use of these processes our profession can play a significant role in addressing the racism and other cultural and structural violence that remains prevalent in the United States and other parts of the world.

Furthermore, as other professionals (lawyers, nurses, psychologists, business leaders, etc.) understand the importance of achieving conflict competency, their interest in attending trainings, workshops, or obtain certifications tailored to their specific needs will increase. This will translate into conflict programs within and outside academic institutions having to expand their roles and being creative in the manner in which they package their services. For example, rather than seeing a growth of Masters Programs in conflict, we may see an increase in conflict competency courses offered outside of academic institutions having to expand their roles and being creative in the manner in which they package their services.

To conclude, I believe that many professionals will benefit from being involved in teaching their colleagues in other disciplines skills that ultimately make for a better world.