

Annex 13

Annotated

Literary Review

(Performed by Kim Farris, University of Ottawa Student)

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**TITLE: Negotiation, Mediation, Globalization Protests and Police: Right Processes;
Wrong System, Issues, Parties and Time**

Trevor C. W. Farrow

SOURCE: Queen's Law Journal,

CITED: (2003), 28 Queen's L.J. 665 - 703

ABSTRACT:

In dealing with anti-globalization protesters, police forces in Canada and the United States are experimenting with a new proactive strategy of negotiation and mediation. This strategy addresses two key objectives: protecting the safety of police, protesters, meeting delegates and the public, and facilitating lawful dissent. It has been credited, most recently at the 2002 G8 Summit in Alberta, with reducing violence on the part of protesters. However, in the author's view, an emphasis on dialogue between police and protesters raises several concerns. First, it tends to involve protestors within the political system that they are trying to change from the outside, thus limiting their ability to bring about such change. Second, focusing the dialogue on issues of safety and the acceptable level of dissent draws attention away from the fundamental issues that concern the protesters, such as fair trade, workers' rights, the environment and debt relief. Third, the dialogue is with the police, rather than with the government and corporate representatives whom the protesters are trying to reach. Fourth, at this point in the history of the anti-globalization movement, police--protester negotiations may dampen the dissent and debate that are needed to bring real institutional change.

TITLE: Resolving Mass Wrongs: A Command-Consensus Perspective

AUTHORS: John C. Kleefeld and Anila Srivastava

SOURCE: Queen's Law Journal

CITED: (2005), 30 Queen's L.J. 449 - 499

ABSTRACT:

This paper uses the phenomenon of mass tort claim resolution to illustrate the command-consensus model of **alternative dispute resolution**. After reviewing the complexities that arise from mass tort claims, including asymmetries in size of disputants, access to resources and power of the parties, the authors set out a spectrum of dispute resolution options available to the parties.

At the left end of the spectrum are the options with the highest degree of participant control and the fewest predetermined limits on final outcome. These include individual negotiation and consumer boycotts. The author argues that these methods are not very effective in resolving mass torts disputes because of the asymmetry in knowledge between the parties and the difficulty in organizing large numbers of individuals.

The middle and right end of the spectrum are consequently more effective at resolving mass torts disputes because they eliminate some of the asymmetries between the parties. The middle of the spectrum includes resolution options that offer less party control, and that usually involve a neutral third party -- for example, mediation. Slightly farther right are such options as arbitration and public adjudication. At the right end of the spectrum are public inquiries and

democratic rule-making through legislation and regulation. The latter techniques are highly public, and give the parties little if any control over the process.

The authors' emphasis is on demonstrating the interplay between the different parts of the spectrum. They use the resolution of mass wrongs to show how outcomes from disputes on one end of the spectrum can influence the other end of the spectrum. They emphasize the dynamic nature of the command-consensus model, the importance of being aware of the variety of different resolution options that are available, and the advantages and disadvantages that each brings to the dispute resolution process.

Article Includes: Introduction:

- i) Understanding Mass Wrongs
- ii) The Command-Consensus Model
- iii) Applying the Model

TITLE: Collective Bargaining under Managed Competition in Health Care: The Ontario Home Care Experience

AUTHOR: Tom Archibald

SOURCE: Queen's Law Journal

CITED: (2003), 28 Queen's L.J. 581 - 636

ABSTRACT:

In line with the increasing emphasis on cost-effectiveness in the health care system, the provision of home care services in Ontario, which was formerly in the hands of a few non-profit organizations, has been opened to a process of "managed competition," or competitive tendering, on a regional basis. In many cases, this has led to the displacement of the non-profit organizations by private, for-profit firms. The stable, long-term employment relationships that used to prevail for Ontario home care nurses have often given way to contingent and fragmented relationships with the new service providers. The level of collective bargaining coverage has declined, partly because the Wagner model of labour law, which is designed for long-term single-employer relationships, poses serious obstacles to the acquisition of bargaining rights and the effective exercise of bargaining power by home care nurses under managed competition. Although this move away from collective bargaining appears to some observers to be in accord with currently prevalent health human resource values, the author argues that it is unlikely to be beneficial to the health care system. Good policymaking in health care requires that the interests of both professionals and managers be heard and taken into account. Lack of access to collective bargaining deprives home care nurses of an effective voice in the system, and unduly favours the managerial perspective over the professional perspective. The author proposes certain changes to the law that are designed to improve access to collective bargaining while respecting the values of cost-effectiveness and innovation.

**Don't Quarrel,
Work Out Your Conflict Styles**

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Your conflict management style is your particular way of responding to conflict with others. Life experience causes all of us to acquire preferences and habits of how to respond to conflict and we tend to use these over and over again. This is your conflict management style.

What you should know about conflict management styles

1. You function better if you know what your preferred styles are. When you don't know your

preferences clearly, you run on autopilot and react blindly. If you know your preferences, you can more easily make good, conscious choices. For example, if you know your tendency is to avoid conflict, you will be better able to decide whether avoiding is really the most useful response the next time you get in a conflict.

2. You can dramatically improve your ability to deal with differences constructively in any relationship if you openly discuss your conflict style management style preferences with others. When people know and understand each other's style, they are less reactive. They are more likely to be patient with each other's responses.

Having such a discussion is almost always a positive experience. There is nothing difficult about saying, "These are my preferred styles of dealing with differences." Most people find such a conversation encouraging, enlightening, and enjoyable. People who live or work together benefit greatly from having such a discussion. Choose a time and place when you are relaxed and not in the middle of a fight.

3. There are five basic styles of dealing with conflict:

Directing (highly assertive and not concerned about relationships). "Here is what we are going to do (my way, of course)...."

Harmonizing (very concerned with relationships and not assertive). "Whatever you say is fine with me (I just want to keep you happy)...."

Avoiding (neither assertive nor concerned with relationships). "I'd rather not talk about it right now (better to do nothing than have a disagreement)...."

Cooperating (assertive but also concerned with the relationship). "Here is how I'd like to do it, but I'd also like to hear what you think we should do (If we just state our differences openly, I'm sure we can figure out a way to keep us both happy)...."

Compromising (medium assertive and medium concern for relationship). "I'll back off a bit from what I'd prefer if you'll back off some too (Nobody should expect to get everything they want)...."

4. There is no right and wrong style. Each conflict management style has its own strengths and weaknesses. The goal is simply to know these and then choose the right style for the situation you are in.

5. You can bring out the best in other people if you know the preferences that are associated with each conflict management style. For example, a preference to always begin with connecting as persons before settling down to serious business is usually strong in people who prefer Harmonizing.

A preference to think things through carefully is common among people who prefer Avoiding.

Therefore it is important not to demand instant answers from an Avoider. You can easily learn these preferences and this knowledge will help you a lot in bringing out the best in the people around you.

For several decades human relations trainers and teachers of conflict resolution skills have used conflict management style inventories to help people get a clear sense of their own preferences. Two of the most widely used are the Thomas Kilmann Conflict Mode Instrument and Style Matters.

How to Use Conflict Styles in Working with Other People

If you understand conflict management styles, you can often immediately sense what another person will need to feel comfortable. Below are sample "hot tips", excerpted from Style Matters:

How to bring out the best in someone who prefers the Directing conflict management style

- People who prefer the Directing style are task oriented. They are often highly productive and concerned to get the job done. They are good crisis managers and want results. Engage them and let them know you are committed to getting the job done or resolving the issue satisfactorily.

- If you need time to think things through, Directors are usually fine if you ask for this, so long as you indicate your commitment to returning to resolve things. You will get a more positive response if you state clearly when you will come back (e.g., in an hour, or tomorrow at nine o'clock, etc).

How to bring out the best in someone who prefers Avoiding

- More than any other style, Avoiders benefit from an offer to give them time and/or space to withdraw and think things through. You are more likely to get a "yes" answer on anything you need from them if you use a "two-step" approach. First, let the Avoider know you want something from them and you'd like them to think about this. Then return later - an hour, a day, a week - and hear their response.

- Stay low-key. The more intense or demanding you are, the more likely the Avoider will go into deeper

withdrawal.

How to bring out the best in someone who prefers Harmonizing

- Harmonizers want to please and be pleased. Pay attention to small social niceties. More than other styles, Harmonizers are positively affected by gestures of thoughtfulness - a kind note, an appreciative comment, a card, flowers, a chocolate bar, etc.

- You will get more cooperativeness in doing serious work with Harmonizers if you use a two-step approach. First, connect with them as human beings. Ask how they are doing, inquire about a family member, tease a little, thank them for something, etc. Then, and only then, settle down to business. The human connection always comes before work for Harmonizers - an insight that may be especially difficult for task-oriented Directors to remember.

- Stay light. Seriousness or heaviness quickly stirs anxiety in Harmonizers and makes it hard for them to function well. Use humor. Appreciate their good qualities out loud.

Style Matters: The Kraybill Conflict Style Inventory : I am assuming that you have information regarding the Kraybill system via the group emails. If this is not the case, please let me know and I will take a better look at this system.

Speech by LGen W. Leach "CF Perspectives on Human Security"

November 5, 1999

Talking Points for LGen W. Leach: Chief of the Land Staff

**Speaking on behalf of the Chief of the Defence Staff at the 1999 Atlantic Canada
Diplomatic Forum**

Break out session: CF Perspectives on Human Security, St. John's, Newfoundland

What I want to share with you today are my thoughts -- those of a Canadian officer and Chief of our Land Staff -- on the nature of some of the Human Security challenges facing Canada, and specifically the CF which I represent.

I'll skip over the things we all know: the post-Cold War re-think of approaches to international security; the attention increasingly paid to the concept of human security; and that concept's foundation in the view that the end of the Cold War benefited states more than it did individuals.

Some proponents of Human Security suggest that international security problems are best addressed with "soft power" tools such as diplomacy, persuasion and conflict resolution techniques.

For some, there should also be a consequential shift in resources as well, away from the kind of thing that the "sharp end" of the armed forces have done and into something "lighter" or more selective. The peace dividend is a term you may have heard.

For the military, nothing has disappeared but the list has just got longer! What is the new balance?

It is true that the end of the Cold War changed many things about international security, starting with the level of predictability of conflicts.

The bipolar world left much to be desired, no doubt about it. It wasn't always comfortable dealing with the certainties it came with, but some of them made my business -- and dare I say yours -- comparatively straightforward -- predictable!

I know you've heard it before, but although the end of the Cold War reduced the threat of global war and massive nuclear destruction, peace has not broken out. Far from it. The number of localized, violent disputes has increased dramatically.

And Canada has been amongst the most active in trying to make a difference. Canadian Forces members were deployed on 65 missions during the last ten years compared to some 25 missions over the previous forty years. Today we have the largest number of CF members serving outside the country at one time then we have since the Korean war of almost 50 years ago.

The nature of these recent missions has also substantially changed. They are more dangerous and complex than they tended to be during the era of what some call "classical peacekeeping". I'll say that again. They are more dangerous and complex than they tended to be during the era of what some call "classical peacekeeping". We're no longer simply patrolling a cease fire zone in a place such as Cyprus. We are increasingly involved in situations that either involve open combat or the risk of combat, sometimes before there is a cease fire.

Now, the peacekeeping business was never as placid an experience as many now think, and Cyprus, to use that example again, is clearly not an uncomplicated place, but our work in Bosnia, Kosovo and elsewhere in recent years is a category apart.

For soldiers participating in these new missions, the task is a lot more complex. In many cases we used to be able to think in terms of "us and them". The political and cultural geometry today is radically different and the potential for individual confrontation is significantly higher.

During the Cold War, we were deploying formations, brigades, and large units whose job was to be ready to confront another formation, brigade or large unit. Nowadays, units with as few as six or twelve soldiers can be confronted by belligerents and opposing factions. Today the individual soldier is probably more important than units of hundreds in resolving particular or specific situations.

As we speak today, a group of five CF soldiers, with a Master-Corporal as their leader, is in charge of monitoring a frontier post at Dravar in Bosnia-Herzegovina. Two days ago I spent time with an assault troop of our Recce Sqn in Pristina, Kosovo who were doing their duty in patrols of eight soldiers each. You could see that the population was comfortable when the soldiers were present – stability, law and order, fairness is what the soldiers represent.

Every day, these young soldiers, Canadian men and women, have to deal with real human security issues. Sometimes they struggle to identify which group individuals belong to, individuals who wear no distinctive mark or uniform. Deciding what behaviour to adopt, and anticipating the reactions of individuals under these circumstances are quite difficult and require a totally different type of training than what was the norm just a couple of years ago.

This card is one example of what we do now on a regular basis. Every soldier carries a Rules of Engagement (ROE) card. The ROE for every mission are different and they are approved by international and national, military, civilian, and legal authorities. The evolution of these ROE has permitted individual Canadian soldiers at the very lowest level to exercise appropriate authority both in a collective defence and a human security situation.

The nature of these operations brings real risks, and in the last few years I have attended more than a few funerals of young Canadians who died in the service of peace around the world. Of

course, death can happen in training as well as operations. Ours is not a safe business if you are careless.

I mention these things for one reason. They show that the business of providing human security frequently involves complex and dangerous military operations. Much has changed in recent years, and things will continue to change, but I have yet to see anything that would lead me to think that my profession and the people who sustain it are headed for redundancy any time soon.

In many ways the conflict in Kosovo, not to say the war in Kosovo, perfectly illustrates this. Kosovo was a conflict, within a state, where basic human rights were violated, and where the primary interest of the international community as we saw it from Canada was the protection of individuals. To Canadians, it was a classic case of Human Security, where the international community took action, not to protect their state interests, but to address the security of individuals.

From where I sit, the use of military force in Kosovo showed that if you want to be involved in providing human security you would be well advised to have the ability to use force, including military force, in your tool kit. "Soft power" and "hard power" can both make critical contributions to the Human Security agenda. There are not many examples where only one will keep our soldiers safe and lead to success.

In the many missions we have participated in for some 50 years now, the Canadian Forces have gained substantial experience and skills in conflict resolution, confidence building, and peace monitoring.

In recent years we have used this experience and skills to the utmost. Given the Government's stated intention, as expressed in last month's Speech from the Throne, to make a notable contribution to the cause of human security in the world, I think we in the Canadian Forces can expect to be called upon again and again.

I will leave you with two suggestions as to how we can maximize the possibility of success in our future efforts.

The first one is the need to be able to work effectively with our allies and potential partners. In my work, even more than in many parts of civilian life, that means keeping up with technological change. If the Canadian Forces can't effectively operate alongside our allies or international partners we are simply not going to be able to play the role Canadians typically expect of us. In our professional jargon, we call this the need to maintain interoperability.

This isn't only a technological issue. We must also have similar concepts of operations, compatible doctrine and be mentally prepared to work with various other groups. Without interoperability, rapid intervention in humanitarian emergencies may prove impossible.

Technologies that provide accurate knowledge of what is happening on the ground, for example, can be critical to responding appropriately to a humanitarian crisis. By helping to track refugee flows, or to pinpoint bodies hidden under rubble, sophisticated military sensor systems could save civilian lives as readily as they could locate enemy positions.

Which brings me to my second point. The necessity to be flexible and adaptable. As I said earlier, the nature of military operations has changed. Uncertainty and the need to work with a much wider range of other organizations have made today's operations more complex, more dangerous

and demanding.

To be effective, the Canadian Forces must be able to deploy quickly. When they arrive, they must be able to create stable conditions and, if necessary, to fight. They must also have been trained to work with other armed forces, local officials, civil police, the media, non-government organizations and humanitarian agencies.

The Canadian Forces clearly have much to contribute to the advancement of human security. We, just as clearly, need to ensure we can make the contributions to these efforts that Canadians expect.

International Strategic Situation

By: DR. R.P. Jakubow

Octob <http://www.forces.gc.ca/admpol/content.asp?id=er> 1999

Abstract: On the eve of the third millennium, the international environment is relatively peaceful but the fires of conflict burn in many distant lands. Powerful forces of change are sweeping the globe and transforming the lives of billions of individual human beings and entire societies, putting all states and the structure of international politics itself under stress. The world is at once complex and in flux.

This paper presents one view of the emerging international strategic situation. It identifies key factors shaping the future, describes the potential for conflict, and outlines some of the security issues of importance to Canada.

Title: Peacekeeping with muscle: the use of force in **international conflict resolution**.

Author: ed. by Alex Morrison, Douglas A. Fraser and James D. Kiras

Publisher: Clementsport, N.S.: Canadian Peacekeeping Press

Year: 1997

Notes: Co-published by Canadian Council for International Peace and Security.

Subject: UNITED NATIONS -- Armed Forces -- Congresses

Contributor: Canadiana/FB 9801

Author list: MORRISON, Alex; FRASER, Douglas A.; KIRAS, James D.; Canadian Council for International Peace and Security

Title: International conflict resolution.

Author: by Flaurie Storie

Cite: (Fall 2000) 12 Interaction No. 3, 21

Year: 2000

Subject: CONFLICT MANAGEMENT -- International aspects

Category: Text/Periodical

The Daily Telegraph (Australia)

March 24, 2007 Saturday

Pure Classified Edition

The right tools to resolve conflicts

BYLINE: JENNIFER LOICHT

The 1970s workplace was "infinitely more confrontational" than today. The culture of wanting to get ahead at all costs is slowly but surely being replaced, according to **conflict resolution** expert Dr Stella Cornelius.

"The dominant belief was: You were good if you won," says Cornelius, who founded the Peace and **Conflict Resolution** Program of the United Nations Association of Australia in 1973.

"Now we're coming to [the realisation] that you're good if you resolve ... and [pay] attention to everybody's needs and fears.

"We're looking for more equity -- words like **human rights** and social justice are not absolutely strange to us any more.

"We're [also] looking at three decades of increasing appreciation of the fact that **conflict resolution** is something as basic to our needs as literacy or numeracy."

Shoshana Faire, co-founder of Australia's **Conflict Resolution** Network, says concepts considered radical 20 years ago are now accepted. "Technical expertise used to be what mattered most in managers and leaders," Faire says.

"Now it's relationship-management skills. There was a boom in work-related stress 10 years ago and a third of it was the result of unresolved conflict. Now people are expected to speak up effectively and collaborate in order to resolve conflicts."

When it comes to resolving workplace clashes, there are skills we can all learn, **conflict resolution** experts say.

The latest edition of *Everyone Can Win: Responding To Conflict Constructively* -- co-written by Faire and Cornelius's daughter, Helena -- outlines a dozen tools people can employ to resolve conflicts.

"Theoretically it sounds like it's a big toolkit, but you don't need to [master it all]," says Helena Cornelius, a psychologist and CRN co-founder.

"You look at the situation and [think]: I need to pull a hammer out of my toolkit for this one," she says. "You don't use every tool in your toolkit all the time, but you're damn glad they're all there."

If you don't manage to resolve the conflict first time round, Helena suggests having a second plan of attack.

"Create an opportunity for talking again soon and perhaps apologise for the part of the behaviour you feel was less than what you'd want it to be," she says.

Helena says the tools can be used 24 hours a day, at home and work.

"The skills you teach a young child are basically the same ones needed by an international diplomat," she says.

There are, however, some specific issues associated with workplace conflicts.

"When you're dealing with people who are more powerful than you, there's always a challenge because you're not always free to say everything you'd like to say," says Helena.

She recommends finding an objective yardstick to judge what's fair -- for instance, the standard rate of pay -- rather than trying to "do a clash of wills because if they've got more authority than you, you're probably not going to win".

"If you're dealing with somebody who's power-hungry, it's a bad idea to attack them verbally because it often doesn't work," she says. "They often need to prove they're powerful. If you don't want to be their target, you're better off to feed them some positive reinforcement for their power rather than opposing it."

While there are no guarantees, Helena says this approach gives you a better chance of getting what you want.

For example, instead of saying to your boss, "You have to get an extra computer here", Helena suggests: "I realise you're the one that has to make the decisions and wear the responsibility, but how I'm seeing it is that we have too few resources for too many people, and we're really needing an extra computer in this office."

Helena says it is important to consider, and address, your boss's needs and concerns.

Solving the problem: Authors Helena Cornelius and Shoshana Faire have pinpointed 12 tools for solving conflict -- at work, home or anywhere:

- * Responding, rather than reacting, to conflict;
 - * Seeing the person with whom you are conflicted as a partner, not an opponent;
 - * Employing empathy to open up the communication and let go of judgment;
 - * Appropriate assertiveness;
 - * Co-operative power;
 - * Managing emotions (yours and theirs);
 - * Being willing to move beyond personal issues towards forgiveness and resolution;
 - * Mapping needs and fears that arise out of the conflict, with the aim of attaining greater clarity;
 - * Exploring and designing creative options together;
 - * Negotiating -- being hard on the problem but considerate of people involved and their needs, in order to achieve the best and fairest outcome;
 - * Mediating -- helping the process by intervening and staying neutral;
 - * Broadening perspectives -- ask yourself if you're using your heart as well as your intellect.
 - * From: Everyone Can Win: Responding To Conflict Constructively
-

Spokesman-Review (Washington)
Distributed by McClatchy-Tribune Business News
March 24, 2007 Saturday
Ugandan peace activist speaking at conference
BYLINE: Virginian De Leon, The Spokesman-Review, Spokane, Wash.

ABSTRACT

Mar. 24--She's been called one of the world's most influential peace-seekers, a woman who risked her safety to end the violence in her native Uganda.

Betty Oyella Bigombe, who has been involved in peace negotiations in one of Africa's longest-running conflicts, will be in Spokane next week for a free peace conference at Gonzaga University. A senior fellow at the United States Institute of Peace and Uganda's "Woman of the Year" in 1994, Bigombe will present a lecture titled, "The African Role in Conflict Prevention, Management and Resolution."

Her speech is part of "A Peace Conference: Causes of Conflict Conditions for Peace." The event begins with Bigombe's presentation at 7:30 p.m. Friday in the Globe Room of Cataldo Hall. It continues the next day with workshops in the areas of mediation, conflict resolution, human rights, international law and peace studies.

Fort Collins Coloradoan (Colorado)
February 26, 2007 Monday
How about Department of Peace?
SECTION: OPINION; Pg. 6A

Imagine, how would it be if our federal and local governments had a functioning structure in place to seek out, use and develop nonviolent methods to deal with conflicts and bring about peaceful resolution to violence? No matter if they are domestic disputes, conflicts within the school or workplace, gang wars or international tensions, proven protocols and personnel would be readily available to provide mediation, advocacy, resolution and lasting peace.

Never before in the history of our country or the world has there been a more appropriate time to establish a national, local and international model to work to create peace, prevent violence, avoid armed conflict and take a proactive approach in developing policies that promote nonviolent intervention, structured mediation and peaceful resolution of conflict.

On Feb. 5, House Resolution 808 was introduced onto the floor of the U.S House of Representatives. When passed, H.R. 808 will establish a new Cabinet-level office in the Executive branch of the federal government - the U.S. Department of Peace and Non-violence that will be dedicated to peacemaking and the study of conditions that are conducive to both domestic and international peace.

The head of the department, The Secretary of Peace and Nonviolence, would be a Cabinet-level position appointed by the president, with Senate approval, who would work interactively with each branch of the federal government on all policy matters relating to conditions of peace and would be a delegate to the National Security Council. The secretary would advise the president, secretary of State and secretary of Defense on

national security matters including **human rights** and the prevention of armed and unarmed international conflict.

The department would sponsor conflict prevention and dispute resolution initiatives, create task forces and draw on local, regional and national expertise to develop plans and programs to address the root sources of conflicts between factions, regions or countries. It would facilitate peace summits where conflicting parties may gather to promote nonviolent communication and beneficial, lasting solutions.

On the domestic front, the Department of Peace and Nonviolence will develop policies and programs:

That address domestic violence including spousal and child abuse; to reduce drug and alcohol abuse; regarding crime, punishment and rehabilitation; that relate to school violence, gangs, ethnic violence and violence against gays and lesbians; to establish school and community based violence prevention counseling, peer mediation and nonviolent communication; that promote racial, religious and ethnic tolerance; to reduce hate crimes and violence against animals; council and advocate on behalf of women and others victimized by violence; make policy recommendations to the attorney general regarding civil rights and labor laws.

In cooperation with the secretary of Education, a peace education curriculum would be made available to elementary and secondary schools to include studies of the civil right movement in the United States and other parts of the world, nonviolent communication, peaceful **conflict resolution** and skills for achieving personal peace. The bill also would provide for the establishment of a four-year Peace Academy modeled after the military service academies and provide grants for peace studies departments at major colleges and universities in the United States.

This bill is an amazing opportunity for our country to actively promote the peace we all crave to experience both in our homes and around the world. Now is the time to act to make the Department of Peace and Nonviolence a reality. Call, write and fax your U.S. representatives and encourage them to actively support H.R. 808 today.

For more information about HR 808 and the Department of Peace, visit www.thepeacealliance.org. To find contact information for your legislators, visit www.congress.org and enter your ZIP code.

{dcide}Mark Beck lives in Fort Collins. He can be contacted at mbeck@mywdo.com.

PRESS RELEASE

On November 19-23, 2006 270 Israelis, Palestinians and international participants from some 20 countries participated in an International Conference on Education for Peace and Democracy held in Antalya, Turkey. The conference was organized by IPCRI – the Israel/Palestine Center for Research and Information. During the four days of the conference some 150 workshops, lectures, presentations and films were held.

The Conference brought together peace and democracy educators, curricula writers, encounter facilitators, peace studies practitioners, conflict resolution practitioners, human rights educators, mediators, and activists from academia, research sector, governmental and community organizations and others from Israel, Palestine and beyond, with a special emphasis on other crisis regions. The conference was a tremendous opportunity for dialogue, debate and visioning with collaboration and cooperation between the body of theory and practice. The conference meeting was grounds for dialogue and mutual learning from the field of peace and democracy education from the viewpoint of academia and from the field of practioners. The conference raised critical issues new insights into the profound peace and democracy education developments in Israel, Palestine and around the world. Furthermore, the Conference provided an excellent opportunity to build connections across multi-disciplinary sectors.

Peace and Democracy Education is now the subject of UN policy, research and training by UNESCO, the Council of Europe and ministries of education, various universities throughout the world and a worldwide trans-nationally conceived and conducted NGO Global Campaign for Peace and Democracy Education.

The Philosophy of peace and democracy education seeks to prepare students for active and responsible citizenship in the process of addressing their lives and the conflict situation in which they live. It is based on an inquiry into principles of non-violence, human rights, social, economic, political and ecological justice, etc. that inform peace education and asserts the need for an intentional interrelationship between pedagogy and content.

Peace and Democracy Education emphasize the integral relationship between pedagogy and content that is essential to its transformative nature. Drawing from the rich field of peace studies, Peace and Democracy Education goes beyond learning about peace and democracy to teaching for a culture of peace based on principles of human rights, non-violent resolution of conflicts and citizen participation. Peace and democracy education openly acknowledges its purpose as education to facilitate the achievement of peace and a related set of social values, largely through learning to recognize, confront and practice alternatives to multiple forms of violence.

Main Themes for the Conference

- Moving from a Culture of hate to a culture of peace
- Resources for peace educators
- Peace education curricula - research and development
- Coping with existing curricula in Israel and Palestine
- Does Peace and Democracy Education really work – a review of research and evaluations
- Using media in peace and democracy education
- Using the arts in peace and democracy education
- Virtual Peace education - using the internet in peace and democracy education

- Peace and democracy education in the informal educational arena – youth centers, youth movements, clubs, etc.
- Institutionalizing peace and democracy education – confronting the formal education systems
- Civic education, democracy education, building open and pluralistic societies

There were some 85 Palestinian participants, 90 Israelis and 95 participants from Egypt, Jordan, Greece, Cyprus, Uganda, Italy, Spain, Germany, Austria, Switzerland, France, England, Ireland, Northern Ireland, Norway, Spain, the US, Canada, Turkey, South Africa, Bosnia, and Iran.

For more information contact: Gershon Baskin (Gershon@ipcri.org) +972-(0)52-238-1715

**Ridgewood Foundation for Community Based Conflict Resolution International v.
Canadian Institute for Conflict Resolution**

Between

**Ridgewood Foundation for Community Based Conflict Resolution Int'l, plaintiff,
and**

**The Canadian Bureau of International Education, defendant
and**

Canadian Institute for Conflict Resolution, third party

[2001] O.J. No. 3900

Court File No. 00-CV-15881

Ontario Superior Court of Justice

Polowin J.

Heard: September 6, 2001.

Judgment: October 1, 2001.

Practice — Judgments and orders — Summary judgments — Bar to application, existence of issue to be tried.

This was a motion by the defendant Canadian Bureau of International Education for summary judgment against the plaintiff Ridgewood Foundation for Community Based **Conflict Resolution**. The events which led to this action stemmed from the Bureau's management of a program on social development in the Ukraine. One of the components of the project was the delivery of training in community based **conflict resolution**. The Bureau had retained the Institute for two sets of workshops. The contract provided that the Institute would select designated personnel to implement the workshops. The designated personnel was Ridgewood. A dispute arose and Ridgewood commenced an action to request monies for additional services rendered, expenses and loss of opportunity revenue. The Bureau argued that Ridgewood was not a party to the agreement and therefore could not sue on it. Ridgewood asserted that there was a separate collateral contract directly between it and the Bureau. The Bureau argued that it had not breached the agreement, that it was performed according to its terms, and that the proper

consideration had been paid. The Bureau relied on the wording of the contract which made it clear that the Bureau had contracted with the Institute.

HELD: Motion dismissed. It would be unjust to decide the issues in this case on a summary judgment motion. The facts, including the true nature of the arrangement between the parties, were by no means clear. Ridgewood had raised a live issue with respect to the existence of a collateral contract that would not infringe the parol evidence rule. Evidence given viva voce with the opportunity for cross-examination would significantly assist the Court in making the credibility determinations necessary in this case.

Statutes, Regulations and Rules Cited:

Ontario Rules of Civil Procedure, Rules 20, 20.04, 76.06(1), 76.06(14).

TITLE: Thinking About Dispute Resolution: Dispute Resolution: Readings and Case Studies, 2d: ed. (Toronto: Emond Montgomery, 2003)

AUTHOR: Julie Macfarlane et al., eds.

REVIEW: Book review by Trevor C.W. Farrow

SOURCE: Alberta Law Review

CITED: (2003) 41 Alta. L. Rev. 559 - 566

Abstract:

1 Non-traditional dispute resolution -- "Alternative Dispute Resolution" or "ADR"¹ -- in Canada continues to mushroom.² Everyone is getting on board the A-train. Current judges are participating in court-connected processes.³ Retired judges are finding new-found careers as mediators and arbitrators.⁴ Lawyers are seeing the potential of the "ADR movement"⁵ as an ever-expanding source of business.⁶ Universities, including law schools and other faculties, are not being left behind. As the editors of *Dispute Resolution: Readings and Case Studies* have commented, "[s]ince the first edition of this book was published three years ago, the level of interest in dispute resolution -- and in particular in the teaching of dispute resolution -- has risen exponentially."⁷ And together with this increased interest, there has been an ever-expanding body of ADR literature⁸ and online materials.⁹

2 In my view, by building on a very useful first edition,¹⁰ the editors of this casebook have produced an excellent source for students, instructors, and practitioners, thereby providing a meaningful contribution to this exciting area of scholarship. I say this for four reasons: (1) the casebook includes a broad range of useful topics and materials; (2) it does a good job of including Canadian content; (3) its pedagogical focus is largely successful; and (4) it is relatively user-friendly.
