

*2<sup>nd</sup> ASIA PACIFIC MEDIATION FORUM*

*DEVELOPING A MEDIATION CULTURE*

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**Challenging discourses of violence and promoting discourses of peace:  
A role for mediators in our conflicted region.**

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**Abstract**

All human beings are implicated in the generation of violent human conflict. Conflict, as we know, is a product of social interaction and violent conflict is fuelled by the institutionalisation of difference. Social conflict at both micro and macro levels can be constitutively defined in terms of inclusion and exclusion. Violent conflict in schools, and war at an international level, involve a process whereby parties 'dig in' to their positions and construct the 'other' as the 'enemy'. A normative discourse develops which justifies such formations, valorising the cause of one side and denigrating the cause of the other. Currently, binary discourses such as these are dominant at many levels in our global society and are threatening our safety, and maybe our survival in the longer term. They are also producing divisive relationships within and between countries in our region. This paper argues that the legitimisation of warfare and violent conflicts in our homes, workplaces and schools is situated in discursive practices based on exclusionist identities and a hierarchical construct which favours some voices and subordinates or marginalises others. Mediation has the potential to disrupt and transform this discourse and to generate a discourse of peace. However, a construct of peace must incorporate and value difference and pluralities of identity, recognise the cultural and situational embeddedness of the mediator and deconstruct and reject discourses of violence and their institutional underpinnings. The formation of an Asia Pacific Mediation Centre would assist us to combine our voices and resources and provide opportunities to promote mediation as an instrument for peace in the region.

**Introduction**

The welfare of today's children is inseparably linked to the peace of tomorrow's world  
(Henry R. Labouisse: UNICEF)

All human beings are implicated in the generation of violent human conflict. Interpersonal and social conflict at the level of the home, school, workplace, community, country or region can be defined in terms of inclusion and exclusion. In our discourses of violence there is usually a "good guy" and a "bad guy", which vary according to which side you are on. A normative discourse develops which justifies these formations, valorising the cause of one side and denigrating the cause of the other. Binary discourses such as these are increasing in our global society and our region, threatening our safety and maybe, in time, our survival. As mediators we owe it to our children to challenge and change these discourses and to promote discourses of peace at all levels in our various communities and countries.

**Violence and abuse of power**

In violent conflicts it is not uncommon for one party to be more powerful than the other. These conflicts may involve domestic, workplace or schoolyard bullying or other abuses of power, often with a particular ideology justifying the violence - such as 'patriarchy' where there is violence against women; or 'democracy' or 'freedom' as we heard in the justification for the recent war against Iraq.

Because of the private nature of violence against women and children in the home, domestic or family violence “is still considered different, less severe, and less deserving of international condemnation and sanction than officially inflicted violence” (Copelon, 1994). However, domestic violence has been likened by some feminist legal scholars to torture, which was born in the Inquisition. Torture was evident in the European witch-hunt of the 16<sup>th</sup> and 17<sup>th</sup> centuries and is still used today by so-called “terrorists”. In many cultures wife-beating still conveys a sign of masculinity and is inflicted on wives for their failure to properly carry out their role -

failure to produce, serve or be properly subservient ...In the case of intimate violence, patriarchal ideology and conditions, rather than a distinct, consciously coordinated military establishment, confer upon men the sense of entitlement, if not duty, to chastise their wives (Copelon, 1994).

Domestic violence is the leading cause of death among women and is prevalent in all countries in the world (Comas-Diaz & Jansen, 1995; Davies, 1997). It involves physical, sexual, verbal, emotional, social and economic abuse and causes millions of women and children in the world to suffer anguish, humiliation, debilitation and fear. Gender-based bullying in workplaces and schools is linked to the same phenomena and can lead to similar effects. As mediators we cannot be neutral about violence. In most countries it is a crime. However much of the non-physical interpersonal violence that occurs is hidden, in particular verbal, emotional, social, sexual and economic violence. In addressing the issue of violence we need to examine the links between violence at a public macro level - as we see in wars, and violence at the more private, micro level - in homes, communities, schools and workplaces. Where there is violence, victimisation can operate in two main ways:

1. ‘systemically’ through social institutions, in particular juridicial, educational and welfare systems and
2. directly’ through interpersonal interaction (Brennan, 1995).

It is my intention in this paper to deconstruct some of the dominant discourses of violence that we have come to accept at micro- and macro - levels in our global society. I will argue that as conflict resolvers and mediators we can and should collectively play a powerful role in challenging these discourses if we want to promote peace. The formation of this Asia Pacific Mediation Forum, and subsequently an Asia Pacific Mediation Centre, can provide us with a collective opportunity to make a difference in our respective countries and in the region.

### **What is discourse?**

For the purpose of this paper, discourse is described as the way we speak about things, such as conflict. It serves as a powerful force in determining our realities or ‘truths’, the meaning we give to things (Foucault, 1988). Dominant discourses are culturally bound and construct the way we view the world. For example there are many statements (often described as ‘truths’) embedded in the implicit and explicit rules of various governments, societies, communities, families and schools which form part of a discourse.

Michel Foucault, the well-known French philosopher, highlighted that in any given historical period we can only speak or think about a given social practice in certain specific ways and not others. For example the word ‘child’ was not coined until the 19<sup>th</sup> century, ‘child’ abuse was not in our language until the mid-1960s and it is only since the 1980s that we have defined and understood the nature of what is now called ‘domestic violence’. Prior to these terms becoming part of our language, children were seen and treated as small adults, child abuse was often ignored or explained away as ‘an accident’, and women were silent or blamed themselves for the violence against them as they and others in their network or culture did not have a language to talk about it or to understand it in any other way.

A ‘discourse’ from Foucault’s perspective is whatever constrains or enables writing, speaking and thinking within such specific historical limits. All thought and knowledge are a product of discourses, social experiences, and institutions (McHoul & Grace, 1993). Foucault highlighted how statements form dominant ‘truths’ or knowledges and privilege and control who can and cannot speak, what can and cannot be spoken about, how and in what contexts, and thereby what we can and cannot hear. An analysis of dominant discourses will indicate whose voices are heard and whose voices are silenced, whose knowledge, or way of viewing the world, is privileged and whose knowledge is marginalised. Thus

discourse analysis can be a powerful strategy for change. Once the assumptions underpinning a discourse are exposed they can no longer be powerful.

### **The institutionalisation of violence**

Violent human conflict is not inherent or 'natural' to the human condition. Jabri views it as a social phenomenon emerging through, and constitutive of, our social practices through time and across space. Patterns and continuities of human conduct over time become institutionalised in discursive social or institutional systems, such as schools, courts and so forth. Violence is thereby rendered an institutional form of conduct which is largely seen as inevitable and at times acceptable (Jabri, 1996). For example, in spite of research evidence to the contrary there has remained a conceptual tendency for some professionals to normalise male violence. Responses to male violence against women from judges, magistrates, service providers and others in the Australian community have often misleadingly redirected responsibility for violence against women from the male perpetrator to other factors (Pease, 1991) such as alcohol abuse, stress, or the fact that the woman may have somehow 'asked for it' (Bagshaw, 2003a).

Giddens highlights how dominant ways of talking about conflict and violence are linked with ideology and the interests of dominant groups in society. He suggests that there are three means by which these dominant modes of discourse are reproduced:

1. *Through legitimation* - by representing sectional interests as universal and claiming to represent the interests of the whole community. For example, feminists have highlighted how, historically, patriarchy has served the interests of males to the detriment of females. Patriarchy, involving the devaluation of women, is universal.
2. *By denying or transmuting social contradictions* thereby preventing social conflict. Dictatorships provide evidence of how preventing social conflict serves the interests of a minority group.
3. *By reifying and preserving the status quo* and 'naturalising' the existing state of affairs (Giddens, 1997). Jabri notes that the very existence of international conventions can be interpreted as "humanity's acknowledgement of war as an unavoidable aspect of social interaction" (Jabri, 1996)(page 6). National commemorations of war, such as we see on ANZAC Day in Australia can also have the unintended consequence of reifying, reproducing and perpetuating "a culture of violence where identity is constituted in terms of adversity, exclusion and violence towards past and present enemies" (Jabri, 1996).

Violent conflict, whether it is in schools or in the broader international arena, can only be understood within this wider context of human action. In addition, the focus in various institutions tends to be on the *management* and *regulation* of interpersonal violence rather than its total *elimination*. Regulations and language serve to legitimate violence and, in some situations, justify it by labelling it as 'just', 'normal', 'natural', 'humane', or as a 'necessary evil', as evidenced in these World War 2 posters (overheads). We see the same language and process in the justifications put forward by the 'Coalition of the Willing' for instigating the recent war in Iraq.

The moral boundary between violent conflict and non-violent conflict is defined by the acceptance, legitimacy or justifications conferred on violent behaviour, or the type of sanctions that are put in place. For example, in research that I have conducted in secondary schools in South Australia it is apparent that teachers will tolerate some types of abuse, from and between students at school, more than others. They tend to give lesser sanctions for verbal and relational abuse than for physical abuse, in spite of research that suggests that non-physical forms of abuse can be more harmful in the long term (Bagshaw, forthcoming; Rigby & Bagshaw, 2001). At the same time they complain that forms and levels of violence that were not sanctioned a decade ago are commonplace today, and the language of individual rights makes it difficult for them to deal with it, in particular where violence is prevalent in the broader local community.

### **The power of language**

Language is instrumental in constructing a particular view of conflict and thereby has political implications. Using the example of the recent war in Iraq, one side talked about 'liberation', which the other described as 'invasion'. In one radio broadcast in Australia a commentator remarked that approximately 86 million people have been killed in wars since World War 2, compared to 50,000 or so from 'weapons of mass destruction'. So-called 'weapons of mass destruction', such as anthrax, have killed very few people compared to the bombs and sophisticated guns that have killed thousands.

The media are complicit in using 'battle language' in reporting activities in war-time— they tend to take up phrases and use them mindlessly. We declare war on everything – 'war on terror', 'war on poverty' – but the targets are usually vulnerable or impoverished people and countries. Emotive phrases serve to legitimise war and create panic responses. 'Collateral damage', a term used often by the international media in recent wars, really means 'killing people'. 'Terror', and 'evil' are now overarching words that have a fuzzy meaning and are used to describe 'the other' (that is people who are different from us). These words create an emotional response, usually of fear. We hear 'battle language' in institutions such as courts (such as 'custody' and 'access' in family matters) and the related language of discipline and punishment in schools (such as 'suspension' or 'expulsion'). This language does not address the source of conflicts and often gives rise to increased opposition.

### **Construction of the enemy**

Over the centuries fears of a constructed enemy have been fuelled by governments, leading to the proliferation of weapons in most countries in our world, with the more powerful nations seen as legitimately able to produce, stockpile and use unlimited weapons whilst at the same time persuading us that 'others' are irresponsible and a threat and therefore should be legitimately disarmed. It is common for people to use binary categories or dualistic ways of speaking to construct the enemy – such as 'good versus evil', 'them versus us'. This way of talking and thinking both creates and fuels violent conflict. The enemy is objectified and de-humanised and described as being evil or deviant – for example 'terrorists', 'rogue states', 'axis of evil' - which frames disputes in a biased and adversarial way.

At both micro and the macro levels, we can trace historically how the enemy has been objectified and dehumanised. In World War 2, for example, the enemy was constructed as evil by governments on both sides with the aid of propoganda. Visual images, such as posters, depicted the enemy as objects, 'not human', evil, a threat to women and children, or as animals - all depicting an enemy worthy of destruction. More recently we have witnessed in the war in Iraq how 'outsiders' were constructed as 'traitors to the cause' (eg. France) or the 'deserving enemy' (eg. the Iraqi 'regime') by the so-called 'coalition of the willing'. However, binary categories or versions of events exclude *similarities*, *subtlety* and *context* and imply that you are either 'with us or against us'.

In interpersonal conflicts people use similar language and processes to those I have described to construct 'the other' as the enemy. In a recent study of domestic violence, which I undertook with my colleagues at the University of South Australia, abused women reported that their partners objectified and dehumanised them in many ways on a daily basis, constantly belittling them and labelling them as deficient or abnormal and in need of chastisement or correction (Bagshaw, Chung, Couch, Lilburn, & Wadham, 2000). It was not uncommon for these victims to believe what was said about them and to blame themselves for the violence. Similarly, studies I have conducted in schools highlighted how students are 'othered' by their peers through name-calling or verbal abuse, in particular if they do not comply with the dominant ways of being masculine or feminine (Bagshaw, 2003b). In my PhD research with Year 9 students from a wide range of secondary schools in South Australia, subjects reported that labels such as " slut, poofter, loser, nerd, geek, gay" and so forth are used on a daily basis to categorise and subordinate or marginalise those who do not meet the normative gender standards set by the dominant or popular peer group, who are predominantly 'macho' heterosexist males and their female followers. Race, gender and class play a powerful role in defining who is 'in' or 'out' of the peer group, and these definitions can shift on a daily basis. If one rebels against, or objects to this behaviour one runs the risk of being further abused (Bagshaw, 2003b). Jabri explains this phenomena in the following quote:

To be a dissenting voice is to be an outsider, who is often branded as a traitor to the cause, and, therefore, deserving of sacrifice on the mythical altar of solidarity ... social boundaries become sharpened through a discursive focus on features, both symbolic and material, which divide communities to the extent that the desire for destruction of the enemy is perceived to be the only legitimate and honourable course to follow (Jabri, 1996).

### **Discourses of origins - exclusion and protection**

Expressions of identity are to some extent based on shared attributes with others, or a social position or category, attracting a range of normative sanctions and social expectations which vary according to location and over time. Since the end of the Cold War, ethno-national difference has been the source of

much violent conflict in the world. Ethnic or national identity-based conflicts reify the local. In conflicts with 'others', national, ethnic or religious groups draw upon their "remembered past" or sense of collective identity (Jabri, 1996). Conflict discourse more often than not aims at the construction of a mythology based on inclusion and exclusion. When analysing any conflict affiliation and identity are usually defined in terms of exclusionist social boundaries. Social constructions of the 'other' serve to legitimate conflict and violence (Jabri, 1996). At a global level, for example, many contemporary struggles are between different ethnic groups in the same country or in former States. Once the concept of 'otherness' takes root and those 'others' are defined as 'the enemy' the unimaginable becomes possible. Rules for human behaviour change and behaviour which is normally unacceptable or taboo becomes legitimate – killing, rape, torture and so forth.

In our current generation there is a dominance of such exclusionist discourses – whether based on ethnicity, religion, region or nation of birth. Religion currently a source of much violent conflict in the world, in particular when linked to fundamentalism. In conflicts generated by a discourse of origins, 'the enemy' is constructed along with a discourse of exclusionist protection. Categories of origin are exemplified in dualistic constructs such as Catholic/Protestant, Muslim/Christian, indigenous/non-indigenous, Asian/Caucasian, Palestinian/Israeli. In Australia we have recently been subjected to political discourse around so-called 'illegal' immigrants, and the need to protect our country's borders, which has sanctioned and reproduced categorisations based on notions of legitimacy, thereby fostering discrimination and violence against religious and ethnic groups defined as 'other'. At a national and international level the discourse of 'war against terrorism' is having a similar effect.

### **Mediation as an instrument for peace?**

The question we should be addressing at a conference such as this is: how can we challenge discourses of violence in our homes, schools, communities and workplaces when violence is being promoted by our media and by our leaders at an international level as a 'just' or appropriate way of dealing with differences?

My philosophy is: "*It is better to light a single candle than to curse the darkness*".

Mediation is a practice which provides us with an opportunity to make a difference to the way people view and handle conflicts. Mediation is not a uniform activity – there are many models and approaches which traverse many domains and cultures. The literature and practices of mediation should address the cultural context within which mediation occurs. However, most approaches to mediation bring people face to face and generate a move away from violent confrontation towards mutual respect, recognition and understanding. Mediators foster tolerance and acceptance of difference, in a climate of respect and openness, so conflicted parties can deal with their conflicts constructively and peacefully co-exist. Much of the mediation literature and research, however, focuses on mediator qualities, mediation techniques, the recognition and management of imbalances of power, negotiation and decision-making processes and the effectiveness of different types of intervention. The emphasis in earlier models of mediation was on the resolution of conflict through problem-solving and it is only the more recent approaches that have highlighted the importance of language and the transformative nature of the process (Bagshaw, 2000, 2003b; Winslade & Monk, 2000). Narrative mediation is one of the few approaches to mediation which provide opportunities for people to deconstruct dominant discourses which underpin conflict and violence. It also questions the cultural embeddedness of the mediator and the mediation process, but does not go far enough (Winslade & Monk, 2000).

For mediation to be useful, mediators must be self reflexive and critical of mediation theories and practices and question their own societal and cultural assumptions and views of conflict and the cultural assumptions underpinning the approach they are using. They should also have the competence to assist parties to analyse and deconstruct dominant discourses of conflict and violence and to reconstruct discourses of peace.

### **Peace as a counter-discourse**

It is the recognition of the plethora of legitimate readings, representations and identities that constitute individuality which must lie at the heart of transformative, critical discourses of peace (Jabri, 1996).

Open warfare is only part of a much broader picture of violence. For many children guns and knives are a part of daily life – on the streets of urban cities, in homes and in schoolyards around the world, including in Adelaide, South Australia where I have conducted a great deal of research. Children from all walks of life are witnessing high levels of family violence in their homes (Bagshaw, 2003a; Bagshaw et al., 2000), communities and in their schoolyards (Bagshaw, 1998, forthcoming; Rigby & Bagshaw, 2001) world-wide (Davies, 1997).

Peace is a counter-discourse which seeks to understand the legitimisation of violence and to challenge the discursive and institutional structures and frameworks which allow for its emergence. Militarism, for example, is a constant presence which renders war as a desirable and feasible option in times of conflict.

If even a fraction of the resources devoted to building military capacity could be diverted to achieving basic development goals, we would be living in a world with fewer social and environmental problems and far fewer and less destructive wars (Bellamy, 1996).

We need to challenge the hegemonic patriarchal discourses that underpin military responses to conflict and which normalise violence in our homes, workplaces and schools. To do this we need both males and females in leadership roles with an awareness of the power of discourse and a commitment to peace, and others with mediation knowledge and skills in positions of influence in our local and national governments and in global organisations such as the United Nations. We also need people with this same commitment in our local communities and schools. We need to teach our children families and communities how to analyse and deconstruct discourses that justify and reify destructive approaches to conflict and violence. Teaching conflict resolution skills and peer mediation in schools can make a difference to the ways that children understand and manage conflict, but they do not go far enough.

### **Discourse analysis as a strategy for change**

As I said earlier, what can or cannot be depicted or talked about and who can and cannot say certain things will give us a clue as to whose discourses are dominant at a particular historical point in time and whose discourses are subordinated or marginalised. Gender, sexuality, class, religion, race, ethnicity and disability are important factors to consider in this process. In our mediation practices we must be aware of our own cultural biases to ensure that all voices have an equal place in the mediation room. This will require a commitment to self-reflexivity on our part. Our construct of peace must incorporate and value differences and pluralities of identity, recognise our own cultural and situational embeddedness, and deconstruct and reject discourses of violence and their institutional underpinnings.

The postmodern world is now moving into a more fluid and uncertain era in which underlying tensions are erupting to the surface, leading to the potential for violence to escalate. We know that violent environments contain the seeds of future conflicts. One practical objective must be to focus on early intervention and prevention and introduce emancipatory knowledge and promote social transformation in our communities in relation to the legitimisation of violence. Discourse analysis and mediation knowledge and skills can be a powerful tools for change and can be readily taught to people, young and old, in a variety of creative ways (Bagshaw & Halliday, 1999; Davies, 1993).

Finally, many parts of our region are currently experiencing instability with violence as a possible outcome. The international community needs effective warning systems to permit preventive diplomacy, including early and timely mediation, to occur. We know that mediation can be a powerful catalyst for change but people need to be aware of what mediation is and how to gain access to mediation in a timely fashion. There are strong indications that there is a need to train more mediators at every level and in every country in the region. The formation of an Asia Pacific Mediation Centre, which members of the Asia Pacific Mediation Forum (APMF) Steering Committee are proposing, would assist us with this task. If you have not already done so, please join the APMF and become an active participant in a collective voice for change – <http://www.unisa.edu.au/cmrg/apmf>

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