ACDS SUNScholar Document Library

Title	The power of the Third Side: An Interview with Pablo Lumerman	
Author(s)	Surname(s)	First name(s)
	Botha	Lindie
APA citation	Botha, L. (2015). The power of the Third Side: An Interview with Pablo Lumerman. Reflections from Practice Series No. 7 (B. Ganson, ed.). The Hague: ACCESS Facility. Retrieved from Scholar.SUN.ac.za	
Year	2015	
Peer reviewed?	No	
Document type 1	Interview	
Document type 2	N/A	
Key topic 1	Dispute resolution	
Key topic 2	Business and human rights	
Key topic 3	Business, conflict, and development	
Key lens 1	Third party roles	
Key lens 2	N/A	
Visible to public?	Yes	
Notes	This is no. 7 of 15 in a series of Reflections from Practice that ACDS produced for ACCESS Facility. The series shares insights on company-community dialogue and rights-compatible, interest-based conflict resolution from senior practitioners.	

THE POWER OF THE THIRD SIDE:
An Interview with Pablo Lumerman

Linda Botha

This interview is no. 7 of 15 in a series of Reflections from Practice that ACDS produced for ACCESS Facility. The series shares insights on company-community dialogue and rights-compatible, interest-based conflict resolution from senior practitioners. Please cite as Botha, L. (2015). The power of the Third Side: An Interview with Pablo Lumerman. Reflections from Practice Series No. 7 (B. Ganson, ed.). The Hague: ACCESS Facility. Accessible from Scholar.SUN.ac.za.

Pablo Lumerman is a dialogue and development facilitator and a community-company-government conflict mediator. Pablo holds a degree with honors in Political Science from the University of Buenos Aires. He also holds a Master's in Local Development from the National University of General San Martín and the Autonomous University of Madrid.

Question: *What is an important and recurring theme or issue you experience in your work as a company-community dialogue facilitator?*

Answer: Creating sustainable results that outlive the mediation process.

In my work as a conflict transformation practitioner I've tried to bring together two dimensions: The *facilitator* and the *activist.* My role is not just to mediate and manage conflict, but also to transform it. A key challenge is how to intervene in conflict in ways that create an environment that is more just, and more peaceful, than when you started.

This requires changes in people, their relationships, and systems. Governments and corporations need to come to terms with how they will protect and respect human rights. All the parties have to anticipate and plan for future conflicts and events that may unfold a decade from the current dialogue. New capacities and institutions may need to be built.

To facilitate dialogue among communities, companies and government is an intense process. The actors directly involved are sometimes very angry and biased against each other. They often fail to see beyond the current conflict. In this type of situation, the scope of your impact – as a single voice proposing a collaborative approach to conflict transformation – can be limited. You struggle to influence the negotiation agenda and get the right people into the room.

So to inspire structural change, you need to build a wider power base – but not power in the traditional sense. Using ideas from William Ury's concept of *Third Side* facilitation, I draw on the power of collective intelligence and positive peer pressure. A group that harnesses its collective moral imagination can develop a better perspective on the future and change conflict-prone patterns.

Question: *What is a practical example of this?*

Answer: A sustained mediation effort among the oil industry and indigenous communities.

In the region where I live in Argentina, I was contracted to facilitate a dialogue among companies, local government and indigenous communities. Environmental and land disputes had erupted around the massive influx of investment for shale gas extraction, commonly called fracking.

When I started, I felt that I had little legitimacy beyond the immediate managers and community leaders involved in the process. There was a clear risk that any agreement we could get from the table would be fragile. Communities and companies were used to resolving conflicts between themselves without government involvement. These negotiations were typically opaque and not conducive to conflict transformation.

When I proposed a negotiation agenda, I first made sure that the local communities trusted me. I also insisted that government officials get involved. That was my starting point, wearing my human rights activist hat, reaching out beyond just the leaders at the table. I started to develop a citizen-based platform, including indigenous leaders, members of sub-contracting firms, government officials and even academics. It became a bigger process involving more people, beyond just the parties negotiating around the table.

This can make the powerful actors uncomfortable. They realize that the process is not just cosmetic, but about changing the pattern of how the parties relate to each other and how people access justice. So I then worked to reduce the pressure felt by government and company officials. I helped them to acknowledge that there are also structural aspects to the conflict, such as deep power asymmetries, that are not solely their responsibility to address. I introduced the idea that the mediation is a collective effort, and not just the responsibility of a few representatives. It took the burden away from them to quickly "solve" the problem.

Question: *How did this issue impact the parties' ability to achieve rights-compatible, interest-based outcomes?*

Answer: Over time, adversaries are becoming collaborators.

In the beginning, polarization was intense. The corporate lawyers warned about the risk of opening a space for dialogue. The activists talked about justice and resistence in the streets. People got trapped in a binary world plagued with mistrust and mutual demonization. Everything turned into *us* against *them*.

I needed to help the actors to transcend their negative emotions and patterns of confrontation. This was where the citizen multi-sector platform played a role. One purpose of the platform was to empower the "doves" to persuade the "hawks" to engage in dialogue. It consisted of close to forty members and included three levels of government. Platform participants shared concerns and visions for the future, built bridges, and most of all, established relationships of trust. They helped companies, communities and government change from adversarial parties to collaborators.

The platform is now an entrenched part of how corporate and government officials, as well as civil society leaders, deal with conflict and sustainable development. Bilateral agreements are slowly being replaced by transparent mediation and dialogue. Before the platform was established, companies had a very disparaging narrative about community dialogues. They had a perception that local people only wanted money. Nowadays, companies recognize the legitimacy of community claims from a rights-based perspective.

That is what Third Side mediation is all about: Tapping into people's collective transformational energy. Then you are no longer the only activist or facilitator. Champions emerge who will go back to their organizations and advocate for the mediated decisions to be implemented. They will challenge the skeptics and "spoilers" who sometimes try to derail the process due to fear of losing control. When people work together and act collectively, power is balanced and possibilities open up.

Question: *The answer to what question would have helped you be able to more effectively intervene as a third party?*

Answer: How can I help adversarial parties to connect with their feelings of transcendence?

Establishing a community-based dialogue platform is a long-term process. It can be complex, considering the number of role players and the seriousness of some of the issues. For example, in the case mentioned above, there was a long history of oil companies who disregarded the rights of indigenous communities. This kind of history creates barriers that can be very difficult to overcome.

When you start with a dialogue process, people are still very angry, and some of them have experienced a lot of suffering. This can really bring out the worst in people. You can sense how much pessimism and distrust the parties have, based on their shared history.

However, I believe that all the actors, even the powerful ones, want to end the tension and stress that comes with conflict. Sometimes the company representatives have to hide their feelings, because they are not encouraged to show emotions. But it doesn't mean they don't have them. The challenge for me is to help all the parties to transcend this negativity that builds up over time. They need to find a different way to relate to the person sitting opposite the table. Transcendence is part of the magic that happens when adversaries start to see each other as partners. When they are able to humanize each other, there is an immediate shift in the rhythm of the dialogue. People get out of the trenches and start to work on the structural conditions that caused the conflict in the first place.

Conflict is a type of energy and learning how to influence that energy is one of my biggest challenges. This energetic dimension of conflict mediation is not well understood. We need more research on this so we can develop framework and practical tools for working with conflict energy.