

NEIGHBOUR MEDIATION

Pathway to Community Building
And
Social Cohesion

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ABSTRACT

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This study looks into concept of neighbour mediation as an alternative way of solving disputes with the aim of developing an ideal mechanism. The mechanism is having a holistic process that can help deal with disputes that have no legal remedy attached. The dimension is to incorporate new schema of change and perception, parties holding the onus responsibility of defining solutions that satisfy their needs. More generally, this mechanism should be able to encourage better communication and greater tolerance in communities.

In Finland the victim offender mediation has been the most prominent practice of mediation. Kotilo project started the neighbour mediation as a pilot project. In order to understand how neighbour mediation could provide a pathway to community building and social cohesion, a dispute case involving neighbours in a neighbourhood in Turku was investigated during mediation sessions between the periods of September-December 2008.

Qualitative methodology of data collection was used based on the theoretical assumptions of interpretative paradigm. The assumption was that qualitative research attempts to understand meanings that people give to their deeds or social phenomena. Observation and questionnaires formed the methods of data collection for achieving a realistic ground of interpretation of social actions.

There were positive results even though the mediation never reached to conclusion, evidence of change in perception could be recognised. Through emotions elements of empathy and recognition emerged. Therefore, it is practical model worth taken into account by the welfare authorities, to provide avenues for solving neighbour conflicts with urban neighbourhoods.

Evidently, neighbour mediation is a worth alternative way of conflict solving that should be embraced. More reaserch and education of mediators on neighbour mediation is needed in Finland to help promote the practice especially in urban neighbourhoods

Key Words: Mediation, Empowerment, Recognition, Social Cohesion, Community, Qualitative Research

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1 INTRODUCTION

The past is no-longer within our living memory, a time when a neighbour helped a neighbour, sharing what little they had. Neighbour-to-neighbour disputes touch on issues such as noise, car parking, use of common areas and uncontrolled children behaviour. These conflicts range in severity and quite often result in calls and complaints to police. Neighbour-to-neighbour disputes are usually considered low priority in legal process. However, they have the potential to escalate and cause friction in day to day interaction among community members.

These disputes are frequently referred to police who later refer them back to mediation. This scenario actually widens the gap between the two forces. Understanding how neighbour mediation could respond to these conflicts is important in determining the most efficient way to resolve such conflicts. In other words the successful solving of neighbour disputes does not only benefit those involved, but also allows police resources to be allocated to more serious disputes and crimes. This approach is not about problem solving or determining who is the victim or offender. It is a transformative approach of establishing dialogue and social bonding among the parties and community at large.

The strength of mediation is vested in values that are based on respect, tolerance, compassion, empathy, trust and forgiveness. It is evident that, urban areas are characterised with a high level of social mobility. People have become alienated from communities of their natural relatives and neighbours. In situations where neighbours are changing and they are avoided and acquaintances are difficult to make. Reality check is that we make friends and enemies, but we can not choose our next door neighbour.

In modern neighbourhoods, neighbour to neighbour disputes are now characterised by agenda, where conflicts are getting increasingly processed within the legal system. This conflict solving mechanism has become monopolised by the judiciary and from a historical perspective; it is like the world has turned upside down. Ironically, traditional institutions that used to solve conflicts like the church, family, and community have

become less prominent conflict solvers of these everyday conflicts. In practice the traditional model of neighbour mediation basically was one of solving dispute between neighbours.

In reality cohesive community is not an entity where conflicts are absent, but one that archives its identity through practice and communication. This provides the community with capacity for social cohesion which brings about tolerance, recognition and social bonding. In situations of decreased cohesion, there is a tendency of increased hatred, pessimism and social exclusion. These conflicts make people feel uncomfortable and even unsafe in their own homes. The use of verbal abuse, gossips, rumours; lack of trust, constant complaints, and threats even make the dispute more problematic and a threat to peaceful co-existence.

These challenges of conflicts can be overcome if parties are determined to focus on the problem and work together to find a viable solution that everyone can live with. The genuine focus promotes good neighbourhood and social cohesion if done in a constructive and acceptable manner. In this study I want to argue that, neighbour mediation focusing on a transformative approach to conflict solving provides the glue of bridging interpersonal disputes, rejuvenates the day to day interaction with the idea of community building and social cohesion.

1.1 Aims and Objectives of the Study

The goal of this study is to investigate the importance of neighbour mediation as a pathway to community building and social cohesion. Since the advent of globalization and liberation the social structure in our communities has drastically changed due to high levels of social mobility. Neighbour mediation is a new concept in Finland and there is need to come up with alternative mechanisms of solving conflicts. Therefore, the main aim of the study is to

- collect and analyse evidence about neighbour mediation as an alternative approaches to neighbour dispute resolution using a transformative approach

- collect qualitative information on the aspect of neighbour mediation intervention and appraise some conclusions

The use of a case study in this account is based on the norms where case studies provide a detailed contextual analysis of events and their relationships. Been a qualitative research method the case study examines contemporary real-life situations and provide the basis for the application of ideas and extension of methods. Researcher Robert K. Yin (1984, 23) defines the case study research method as an empirical inquiry that investigates a contemporary phenomenon within its real-life context; when the boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence are used.

I have adopted a definition of neighbour dispute used in John (2002) where he interprets neighbour mediation to mean a process that addresses much broader range of community conflicts. In this case neighbour mediation means resolving disputes among local residents. These incidents reflect on conflicts between people living in geographical proximity, excluding the immediate family.

The study examines the use of neighbour mediation in solving neighbour to neighbour disputes. It is this disputes which in any community make people feel unhappy due to increase of tensions. The goal is that neighbour mediation can provide a more sustainable and satisfactory solution without having to resort to costly and time consuming legal mechanisms.

1.2 Research questions

Conflicts can escalate and cause a breakdown in day to day interaction among residents. This scenario widens the gap of interaction and communication when such cases are referred to police. Therefore, understanding how neighbour mediation could respond to neighbour disputes is important in determining the most efficient way to resolve such conflicts.

- How can normative neighbour conflicts be solved in an acceptable and constructive way?
- How can neighbour mediation be a pathway to community building and social cohesive community?

The analysis is based on interpretive approach of a qualitative research based on grounded theories that is related to the subject matter under study. The data collected form the basis of arguing the suitability of this model. Even though the effectiveness of the model cannot be quantified, the obtained benefit is of great importance. The model intends to avoid situations where a party is excluded from any participation in his own conflict. His conflict ends up been stolen by the state, a theft which in particular is carried out by professionals.

1.3 Collection of Data

Data was collected during my placement study with Kotilo Project in Turku during October to November 2008. The neighbour mediation pilot project was initiated by the Finnish Refugee Council in 2003. In this project the main objectives were to develop models and practices for a better dialogue between migrants and mainstream society, as well as prevent, transform and resolve housing-related conflicts within communities in urban areas.

The neighbour mediation relates to solving housing related conflicts, and the goals were to be achieved in close cooperation with housing agencies. The logic here is based on the understanding that in our present day world housing agencies play important roles as major providers of neighbourhood.

1.4 Overview

The literature review gives an insight into the field of neighbour mediation. The review takes into account the history of mediation, content of mediation process and role of

mediator's in mediation process. The victim- offender mediation has been given more importance insight as it has been the prominent practice model in Finland. A comparison between mediation and justice process has been taken into account.

Neighbour mediation is the theme of this study and the perspective is to explain and develop neighbour mediation. Sound philosophy behind neighbour mediation and what is meant by transformative approach linked to neighbour mediation. Also, there is the aspect of empowerment and recognition in neighbour mediation. Then focus on community is based on the effects of neighbour to neighbour dispute since neighbourhood is not an island. There is the role of housing agencies as players in community building. The case study provides an insight into the subject matter under study of neighbour to neighbour dispute.

The methodology provides methods of data collection and why the method was chosen. The analysis is based on sampled data collected from the research field. The results provide a projected ideal process of mediation highlighting the best structure and the expected outcomes of every step taken in the process. Finally, there is discussion of this concept on neighbour mediation, my professional development on what I acquired in the whole exercise. Then, some challenges facing the concept which is still a new field to be exploited in Finland, last on account is my conclusion on the viability of this model as an alternative means of solving disputes.

2 LITERATURE REVIEW

The literature addressing dispute resolution in general is vast; some studies attempt to measure the benefits resulting from efficiently resolving neighbour-to-neighbour, dispute. In their works Bush and Folger (1994) state that 'mediation's greatest value lies in its potential not only to find solutions to people's problems but to change people themselves for the better in the midst of conflicts'. They portray mediation as a way to foster positive transformation of human interaction.

Although neighbour mediation is under-researched, there is literature on neighbourhood topics. Studies are generally survey and interview-based, designed to gather information about for example, resident's reactions to their subjective experiences of their neighbourhood and community sources of dispute as in Bridge et al, (2004). Also, some studies correlate variables such as sense of community and place attachment, with psychological well-being or levels of neighbouring activity described by Prezza et al, (2001).

Other studies have focused on the most important elements of community values mainly 'solidarity, participation, and coherence' done by butcher (1993). In Finland, there exists literature on social mediation 'The let's talk' pilot project 2001 is initiative of the city of Vantaa. The aim was to find ways to mediate and solve problems between people from different cultural backgrounds and the need for capacity building of the different refugee communities, by empowering them to enhance cross-cultural understanding and the settlement of crimes and disputes through social mediation.

Despite this large diverse literature, there is little work that examines the encounters between neighbours, or a study containing situated contexts where such relations are worked out. Neighbour mediation focuses on restoring communication, empathy and care between disputants following impairment of conflict. In Beechler (1978; 1) he points out that if human beings did not care about one another there could not be what we speak of as morality. In contrast, this study is aimed to study neighbour mediation based on actual interaction between neighbours. The focus of this study is neighbour mediation as a pathway to community building and social cohesion. The setting is a

scenario where the housing agency made complaints about disputes and conflicts among their tenants.

2.1 History of Mediation

Kressel, Pruitt and Associates (1989) inform us that mediation is an old common form of conflict resolution. The history can be traced back through biblical times, the story of King Solomon solving dispute between two harlots (1 Kings Chap, vs. 25- 26). Golberg, Green and Sander (1985) describe the 1960's as a time of considerable strife and conflict emanating in part from civil rights struggles, student unrest, growing consumer awareness, gender role re-examination, and recognition of divorce as a right.

These commotions gave rise to reduced tolerance for perceived wrongs and grievances, which turned into legal disputes. Conflicts that could be solved in natural way were directed to courts resulting in un-warranted court procedures. Iivari (2003) connected the evolution of mediation to the development of so called unofficial justice and alternative legal systems. Mediation began in The United States during the early 1970 through community based mediation programs due to factors of civil rights movement and a congested court system.

In Finland there was heavy criticism on criminal justice policy during the 1970's. The criticism was directed at the criminal justice approach and prison congestion. In Viirre (1977) and Iivari (1982) note that the use of punishment was considered to work in the interest of the power structure in society, while disregarding the needs of the poor. It was strongly argued that punishment was not the only answer to crime as prisons continued to be overcrowded.

There was solid evidence that issues of rehabilitation had been abandoned and that the real needs of convicted people were rejected in the criminal justice system. Viirre (1981) in his works implore that, in the late 1970s, a seminar on criminology held in Norway at which some models of mediation in the USA and Canada were presented. The Norwegian Professor of criminology, Nils Christie, gave a lecture on Conflict as

Property. In short Christie (1977) stated that 'the criminal justice system itself has stolen the conflicts of people and that these conflicts must be given back to people' (p.8).

In Viirre's work he continues to note that discussions on alternatives for criminal policy among stakeholders in Finland. They combined these two ideas and suggested giving conflicts back to the people could be effective in victim-offender mediation. These lead to first community mediation pilot project initiated by the City of Vantaa in 1984 as an action research project. However, Iivari (2000) notes that the community mediation model lacked support in favour of the Anglo- American victim offender mediation model.

2.2 Mediation Process

Mediation process is a non-adversarial approach of solving conflict based on values of respect, tolerance, compassion, empathy, trust and forgiveness. It is a process of helping parties solve their disputes, and bring parties a joint meeting. Face-to-face dispute solving method focuses on changing the parties' perceptions to deal with differences. Folberg and Taylor (1984) indicate that mediation is a process that emphasizes the participants' own responsibility for making decisions that affect their lives.

The dimension is focused on improved communication between parties to better identify options that meet the different interests and values. For tolerance and cohesiveness to occur there must be an element of acceptance. Wollheim (1984, 280) note that, 'acceptance is placed at the core of friendship, and involves the overcoming of confusing, the abatement of intolerance, and the relinquishing of certain controlling attitudes.

In Finland mediation has not been a widely spread practice, the most prominent mediation model has been the victim offender mediation. Mostly cases reached mediation through referrals of police or courts. Below is a typical scenario of how disputes have ended up for mediation.

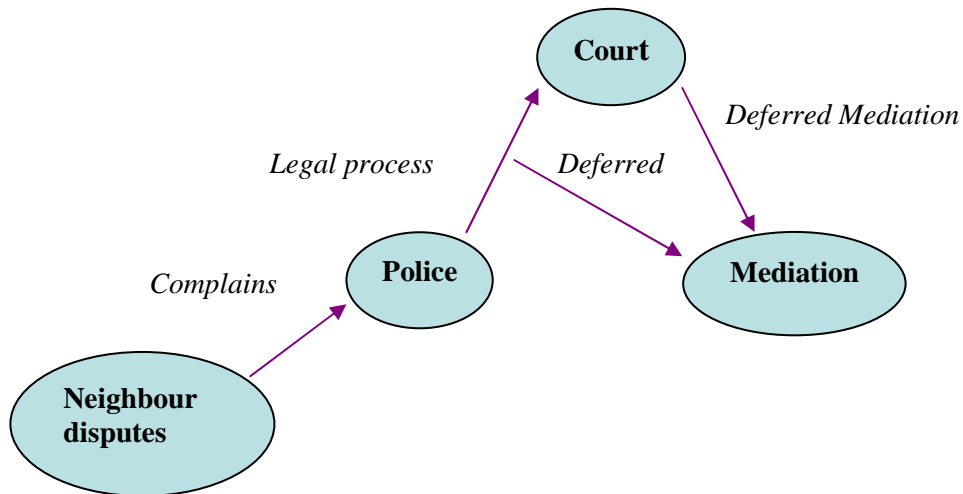


DIAGRAM 1: Typical case referral routes

While highlighting this mediation process I use the definition of mediation as defined by Lon Fuller (1971.) where in his definition he believes that the central quality of mediation is:

...its capacity to reorient the parties towards each other, not by imposing rules on them, but by helping them to achieve a new and shared perception of their relationship, a perception that will redirect their attitudes and disposition toward one another. For this to happen, the primary quality of the mediator... is not to propose rules to the parties and to secure their acceptance of them, but to induce the mutual trust and understanding that will enable the parties to work out their own rules (Lon Fuller 1971, 325-326.)

Mediation works within a structure which gives the mediator an opportunity to guide the parties. Taylor and Miller (1994) describe mediation as a communication process that reflects the context in which it occurs. Greenwood and Umbreit (2002) point that there are different models of mediation such as divorce and child custody cases, school mediation, commercial disputes, and other civil court-related conflicts the victim offender mediation.

2.3 Mediators

Mediator is an agent of change who is a third party neutral and assisting in resolving disputes between two or more parties. In mediation Moore (1986) defines mediation as the:

Intervention of an acceptable, impartial and neutral third party who has no authoritative decision-making power to assist contending parties in voluntarily reaching their own mutually acceptable settlement of issues in dispute (Moore 1986, 6.)

Therefore, the role of a mediator generally is to facilitate communication between parties in conflict to focus on real issues of the dispute. Mediators can be described as fire-fighters. Larson (1977, x) provides that 'implicit in any discussion on a 'profession' is the cognitive element of the 'body of knowledge and techniques, which the professionals apply in their work and on the training necessary to master such knowledge and skills'. Therefore, such intelligent application is required because the task does not involve scientific theories and techniques.

Senft (2004) considers mediators Emotional Intelligence as important competence skills. These are skills which are not focused on a body of technical knowledge, but on interpersonal skills, where Johnson (2003, 58-59) contends that 'even in the law there was low technical content; far more important as a client-based, and diagnostically oriented service delivery was the element of non-technical interpersonal skills'.

Bowling & Hoffmann (2003, 152) define emotional intelligence as 'the capacity for recognizing our own feelings and those of other, motivating ourselves, and managing emotions in ourselves and in our relationships'. This emotional intelligence in mediation is derived from four key competencies of self awareness, self-management, social awareness and social skills. The mediator's emotional intelligence provides him/her with a sense of timing, knowing when and when not, to intervene during an unfolding conflict.

This is exemplified by the approach in which mediator approaches the case and explore his/her own awareness during the interaction. Bowling & Hoffmann (2003) narrate that developing these qualities requires focus and intention. As mediators focus on understanding and interpreting their own depths, they develop a greater ability to be

present with a wider and wider variety of conflicts. They develop a mastery of themselves and therefore over the process of supporting the resolution of conflict.

Self awareness is the first step in becoming an integrated mediator, Bowling and Hoffman (2003, 156) emphasise that 'Until we develop emotional self awareness, we will project our own unrecognized emotions onto others'. The key component of self awareness is self confidence. This plays a role during the initial contact with parties in disputes. It applies on sense of timing, when and when not to intervene in the process because this process of mediation is not necessarily a resolution of conflict but a process of change.

Self management gives the mediator greater emotional control; obviously during mediation sessions scenes of tensions and high emotions can be experienced. In self management the attention is on the mediator to listen and choose responses instead of being led by emotions. Without self management it will not be possible for mediator to respond appropriately to outbursts of emotions from parties. Social awareness includes two important aspects for empathy; one is the active listening and reading nonverbal cues.

The general aspect here is hope; feeling of empathy among parties can be a guide for parties to feel empathy for each other. Della Noce (1999) noted that an ideology is similar to a world view. It is a set of socially shared beliefs, a well-systematized set of assumptions that provide the cognitive and social frame for the beliefs, perceptions and behaviours of a group of individuals. These ideologies include values, beliefs about human nature, and beliefs about how people should relate to each other.

Every human being has four endowments of self awareness, conscience, independent will and creative imagination. So this gives the ultimate freedom with the power to choose, to respond and to change. Empathy is an instrument valuable in so far as it helps the parties satisfy their personal and pre-existing interests. Practically, it is evident that bargainers need only understand enough about the other's interests to get to a satisfactory deal. So empathy can be treated as a commodity for exchange, offered not on condition that the other party does the same, but only through the dimensions of feeling and recognition (Della Noce 1999, 283).

The aspect of awareness phenomena beams on mediator when trying to bring about change in the cause of solving disputes lies in his/her social skills. In the overall framework mediators are always seen as people who are out to help those in dispute. Therefore, social skills such as effective communication are what parties see when the mediator speaks and moves. These skills guide the process and help the mediator to gently influence the parties; in this aspect communication signals the appropriate way. Because mediators prove to be positive role model for parties in assisting parties understand the conflict. The mediator at an early stage of the process needs to build a trusting and nonjudgmental relationship with the parties.

2.4 Victim Offender Mediation

The victim offender mediation is based on a framework of Balanced and Restorative Justice System. This mediation is suitable if dispute involves physical violence or serious threats, issues about racial harassment or disputes that need a court to enforce the final outcome. It is a practice theory of restorative justice which emphasizes the need to provide opportunities for those most directly affected by crime. The victim, communities, and offender are directly involved in responding to the impact of crime and restoring the losses incurred by victims.

The victim-offender mediation allows crime victims to meet fact-to-face with the offender, talk about the impact of the crime and to develop a restitution plan. Empirically it is the oldest and most grounded restorative justice intervention system which works alongside the judicial system. Victim-offender mediation assumption about conflict is that conflict is a problem in need of a short term solution. This process provides the victims of crimes an opportunity to meet the offender and hold him/her accountable for the behaviour and provide compensation.

The three main goals of this process are accountability, community safety and competency development. Three parties are recognised with an important role and stake in the process and these are the victims, offenders and communities. Actually the restorative justice can be defined in so many ways. As per the Restorative Justice

Consortium organisation interested in promoting restorative justice defines it in the following way:

Restorative Justice works to resolve conflict and repair harm. It encourages those who have caused harm to acknowledge the impact of what they have done and gives them an opportunity to make reparation. It offers those who have suffered harm the opportunity to have their harm or loss acknowledged and amends made. (Restorative Justice 2006)

The Balanced Restorative Justice occurred in the late 1970's and early 1980's in response to several forces: the victim's movement, the positive experience with restitution, community service and victim offender mediation as described by Bazemore & Umbreit (1995). Its philosophy was developed as a result of ineffectiveness of the juvenile justice system in dealing with crime and the public's response to it. The approach is concerned about restoration of the victim and victimized community than costly punishment to the offender.

Therefore, the offender is held accountable and promotes a healing response to the needs of victims and offenders. There is the placing of greater emphasis on the offender accepting responsibility for their behaviours and making mends whenever possible, rather than severity of punishment. The overall goal of this process is settlement and dialogue driven with the emphasis upon victim healing, offender accountability, and restoration of losses (Bazemore & Umbreit 1995).

Dialogue addresses the needs of victims where mediators use their competences to develop options for settlements, in which they direct the settlement terms. As the oldest and most well developed restorative justice intervention, the practice of victim-offender mediation with juveniles has been the subject of all through.

Research into the field of victim-offender mediation has found that the vast majority of victims and offenders benefit from the process of meeting each other. Provide a platform of face to face talk about the offence and its impact to those involved, while developing a plan for restoring losses. Indeed the victim-offender mediation program provides a number of benefits for the justice system. However, the disadvantage is that the emotional aspect attached to the conflict are to a greater extent ignored. Mainly

because most attention is paid to the conclusion of making agreements with financial values are at the forefront.

2.5. Mediation and Justice

The importance of mediation can be analysed in the context of the process informality, speed, and ability to take both parties interest into account. As an intervention process, mediation encourages people to focus on the problem rather than on each other. It provides the setting in which both parties can listen to each other; under such circumstances parties reach agreements which take their particular interest into account.

In general perspectives mediation agreements do not have any special legal status legally binding. However, this does not mean that the agreements are not binding, of importance is that the process normally takes place in the interest of both parties. Mediation allows for restoring emotions, providing a wide range of opportunities for dialogue. It is problem solving whenever possible leads to a greater sense of conflict resolution and interaction because it encompasses participation which is more important than the solution.

A strong emphasis was also pointed out by the president of Finland where, while opening the 4th Nordic Conference for Mediation and Conflict Management on 26 may 2006, the president of Finland pointed out that:

Court procedure is something criticized for ignoring the conflict between persons and focusing instead on solving the legal issue. It has indeed been claimed that submitting cases to court procedure and solving conflicts on the basis of ignores the real interests and needs of the parties' (Tarja Halonen : 26.5.2006).

The increasing cost of legal justice, the circumstantial evidence procedures and the time factor taken to complete cases in courts highlights the benefits of mediation. Legal procedures only deal with matters of law, which means the emotional aspect attached to the dispute are left un-discussed. In legal justice parties may feel frustrated and alienated because rarely are their concerns and fears listened too.

3 NEIGHBOUR MEDIATION

Neighbour mediation model is a practice of solving conflicts in the neighbourhoods or between families. John (2002) interpreted neighbour mediation to mean addressing much broader range of community conflicts and that neighbour mediation to mean disputes among local residents. The model deals with a wide range of problems and the typical disputes dealt with generally include: noise, children behaviours, harassment, parking, pets and disputes that involve issues affecting residents.

The concept of community mediation in Finland was first initiated in 1980's as a research project by the city of Vantaa, but lacked support in favour of the Anglo-American victim offender mediation model. Then the Finnish refugee council launched a pilot project on neighbour mediation. Objectives were to develop models and practices for a better dialogue between migrants and mainstream society, as well as prevent, transform and resolve housing-related conflicts among communities in urban areas.

As a social justice tool of solving conflicts neighbour mediation aims at seeking change over disputing behaviours, resolve conflicts, and rejuvenate the idea of interaction while restoring respect between the parties. Maslow's hierarchy of needs reminds us of how essential it is for people to leave within the context of society. Application of neighbour mediation is not only concerned with solving neighbour-to-neighbour disputes, but one of re-establishing durable relationships between neighbours.

It is a transformational process that does not seek immediate conflict solving, but rather, the empowerment and mutual recognition of parties involved with future focus than past oriented. Bush and Folger (1994) proclaim that the idea is to make people feel that their actions make a difference, because hostilities often arise from differences in interpretations of events and this ought to be discussed openly. Because an agreement which is acceptable to parties and has been reached in a favourable atmosphere will enables the causes behind the conflict to be addressed.

If emotions and interests of disputants are addressed and reasonably satisfied, then the non-legal agreement will hold up without force of law. Wilson (1996) observed that

individual change is a bridge to community connectedness and social change, which lead to an appreciation and comprehension of self and situation that gives meaning to and awareness of their social world. Drew(2005; 74) stress the point that ‘It is largely through talking that we live our lives, build and maintain relationships, and establish who we are to one another’.

3.1 Philosophy of Neighbour Mediation

Neighbour mediation is based on the framework of balanced restorative justice which is based on very ancient principles and practices. The philosophy is grounded on two strands. First was the grass roots aim of providing self-help schemes for people to sort out their own problems rather than have them escalate into the hands of the law. This philosophy emphasises informality, volunteer help, and benefits to the community as a whole and community based independent management of its conflicts resolution mechanisms Marian (2000, 26).

The baseline in this philosophy acknowledges the point that mediation process goes beyond just solving dispute; it tries to bring about effective communication which can help build trust among parties in disputes. The second strand is more about agency-led mediation, it’s a philosophy grounded on the response by organisations to the ineffectiveness and of legal solutions to neighbour and community disputes. It is in this philosophy strand that the Kotilo project can be identified with.

3.2 Transformative mediation approach

Actually, conflict is primarily an issue of human interaction as opposed to violations of rights, so it is part of the basic dynamic of interaction in which people struggle to balance concern for self with connection to others. In transformative mediation actually conflict is seen as a long term dispute not in dire need of settlement, but one of human interaction as noted by Folger and Bush (1994) in their works.

John Paul Lederach (1995), advocate the pursuit of "conflict transformation," as opposed to "conflict resolution". Conflict transformation, as described by Lederach, does not suggest that we simply eliminate or control conflict, but rather recognize and work with its dynamic nature. By this he means that social conflict is naturally created by humans who are involved in relationships. Once conflict occurs, it transforms those events, people, and relationships that created the initial conflict. Conflict transformation is a prescriptive concept. If left alone, conflict can have destructive consequences. However, the consequences can be modified or transformed so that self-images, relationships, and social structures improve as a result of conflict instead of being harmed by it. (Burgess 1997)

Assumption is that conflict gives rise to opportunity of moral growth and transformation, dispute is seen as a crises emanating from daily interaction and thus focuses on the way the parties interact with each other during the mediation rather than on the outcome of the dispute. In this context the conflict tends to destabilise the parties' where each party feels more vulnerable and the transformation of the interaction itself is what matters most to parties in conflict.

Disputes are seen as a breakdown in interaction. The agenda of the mediator is to help the parties change the quality of their conflict interaction from negative and destructive to positive and constructive. After exploring the root cause of the conflict, Della Noce (1999) explores that the mediator helps the parties to better understand the context of their problems; to share perspectives about the problems; to think about them in different and more constructive ways; and to make decisions. Essentially, the transformational approach of neighbour mediation is built on the epicenter of the conflict, from which it is possible to generate avenues of creating solutions. It is possible then to generate solutions that meet for instance short term needs of the parties and, the capacity to work on long-term constructive change.

Emotions are seen as integral part of the conflict process and the mediator has to always encourage it. The approach does not seek solutions to the immediate problem, but endeavours to seek the empowerment and mutual recognition of the parties involved. In empowerment it means enabling the parties to define their own issues and seek solutions on their own. Recognition enables parties to see and understand the other

parties' point of view. Through developing an understanding on how they define the problem and why they seek the solution that they do.

The cornerstone here is that people have the capacity to regain their footing and shift back to a restored sense of strength and confidence in themselves. It is about fostering parties' empowerment and recognition where mediator only helps the parties solve their disputes on a long-term based approach. And it is through the dimensions of empowerment and recognition that pave way for a mutually agreeable settlement

3.3 Empowerment and Recognition

The key concepts and goals of the transformative model of conflict resolution are to recognize and give empowerment to the parties involved (Folger & Bush, 1994). Empowerment and recognition is the ultimate pillar of neighbour mediation. Through the application of transformative approach, the neighbour mediation encourages people to focus on the problem rather than on each other. Applying a transformative approach is not based on seeking an immediate solution to the problem, but empowerment and mutual recognition among parties. Therefore, in recognition parties' choose to become more open, attentive, responsive to the situation of another, thereby expanding their perspective to include appreciation for another's situation (Folger & Bush 1994).

The factor of empowerment in neighbour mediation relates to situations where parties express their points of view; clarify needs, in order to resolve their conflicts. Empowerment entails opportunities that facilitate the feelings of power over the process, which parties feel of owning a greater control over the mediation session and hence the outcomes. Empowerment builds the parties' self confidence to not only address the differences that brought them to the mediation session, but also to successfully address differences that may arise in the future work setting.

In archiving this they will be able to do without the intervention of a third party. Therefore, supporting the empowerment of one person can help create alternative ways

of responding and communicating with the other person. This alternative ways of supporting themselves can, in itself, enable resolution of the difficulty. Therefore, if a community has the capacity to solve their differences in a positive and sustainable way, then it creates a social model of empowerment at the community level.

Community empowerment is actually the result of individual empowerment, where empowered communities develop their own norms, experiences and improved community relations that can manage diversity of views.

4 COMMUNITY FOCUS

Unlocking the talent of our communities is vital because the community is the context in which families raise their children and in which young people grow up. Berry et al. (1990; 175) state that neighbouring is an interaction elaboration of local identification and sense of place. In other words, “local places provide an identity, a basis from which interaction proceeds”. Actually throughout human history until recently, human beings have lived among their extended families in homogeneous neighbourhoods where all parents served as collective parents to all children.

People experience neighbour-to-neighbour disputes as unpredictable, penetrating and often intolerable. In the normative cause these conflicts somehow seriously damaged the community living climate. Maslow’s hierarchy of needs reminds us of how essential it is for people to leave within the context of community. Skjaeveland, Garling and Maeland (1996, 418) narrate that ‘Neighbouring involves positive and negative aspects of social interactions, expectations and attachments of individuals with the people living around them and the place in which they live.

So community can either increase the risks in children and young people’s lives, or it can provide an enabling environment within which healthy development that enables children and community members achieve their full potential. Children are more likely to be affected by the neighbourhood in which they live than other age groups because they spend more time close to home. Although they may be perpetrators of neighbour to neighbour disputes in the neighbourhood they are also disproportionately victims of such behaviour (Bright, 1997). Further, Becket(2007: p32) note that ‘what protects children and help them to recover from harm is not a meeting taking place in a faraway office, or a completed assessment form on a file, but rather the actual positive change in the child’s own environment’.

So the application of neighbour mediation is not only concerned with the solving problems, but one of re-establishing durable relationship between neighbours. In particular parties in conflict could successfully come together and participate actively in the process. The act of developing empowerment and recognition where they

themselves can look for solutions and lay better groundwork for further interaction than having a solution imposed from outside.

The neighbour mediation through transformative approach tentatively attempts to address the deeper levels of social life. Objectively, avoiding the kind of behavioural and emotional problems in the neighbourhood will depend on how supportive parents are to one another in the neighbourhood. The agreements of mediation are self-enforcing in that it is up to the parties themselves to see that the terms of the agreement are kept. Mediators might take a role in following up the agreement and checking later to see if it is working but they will not act as enforcers.

This can be one of the disadvantages of mediation, as mediated agreements only work if both sides are prepared to keep to them. Often they can work well, because everyone involved has taken part in sorting out a solution that they think will work for them. But if the agreement breaks down in practice, there is no system for enforcing it. It is therefore important that local people and agencies are willing to work together to improve communities. In terms of tackling neighbour disputes the importance of a community's 'self efficacy' should not be underestimated

4.1 Social Cohesion

This is a concept coined by Émile Durkheim who was concerned primarily with how societies could maintain their integrity and coherence in the modern era. However, rapid societal change has brought with it new challenges of diversity and behaviour patterns. Social cohesion has a focus on participatory activity, relationships and ties of persons in the mainstream society.

Neighbour mediation can be used as a tool of integration process, not only for solving conflicts but on matters that arise due to the high trend of social mobility. Nevertheless cohesion is about a sense of belonging and promoting interaction for positive relationships within the neighbourhood. In the definition of social cohesion Canadian

social theorist Jenson (1998), described a “socially cohesive society” as one where all groups have a sense of “belonging, participation, inclusion, recognition and legitimacy”

Butcher (1993) identified three important elements of community values and these are mainly ‘Solidarity, Participation, and Coherence. Parekh’s (2000) definition fits into Jenson’s interpretation with a strong emphasis on a sense of belonging. Where he narrates that:

Cohesion in a community derives from a widespread commitment to certain core values, both between communities and within them; equality and fairness; dialogue and consultation; tolerance, compromise, and accommodation; recognition and respect for diversity; and by no means least determination to confront and eliminate racism and xenophobia (Parekh 2000; 56.)

Definitely the view on social cohesion refers to the mutuality of claims and obligations, here the mutual concerns is a shared loyalty to the well-being of the neighbourhood. The elements of social cohesion, in the context of a neighbourhood strategy are about developing a community of shared values and challenges. The dimensions of this social cohesion revolve around the elements of belonging, inclusion, participation and recognition.

The feeling of belonging is very important and neighbour mediation can play key a role in providing the glue to social cohesion. In the wider context conflicts can divide a neighbourhood while taking into account that neighbour is not an Island. Jenson (1998) explore that involvement of tenant in management of housing committees contribute to a wider atmosphere of participation belonging and involvement. In the wider context, Jenson exploration can be analysed to mean that, a cohesive community is one that can manage diversity of differences and opinions in a sustainable way. These elements can help provide the community with capacity of contributing to the development of recognition, open co-existence and tolerance.

4.2 Social Bonding

Through neighbour mediation social bonding can be created where members share a common belief as a uniting value. Skjaeveland, Garling and Maeland (1996, 418) indicate that 'Neighbouring involves positive and negative aspects of social interactions, expectations and attachments of individuals with the people living around them and the place in which they live'. Social bonding is nevertheless not only the basic building block of families, but also the community at large.

Building social bond helps to develop community social cohesion and this can be realised in a number of ways. First social bonding enables communities to collaborate and trust each other. Secondly, it is evident that children can be the source of neighbour disputes, however when parents take an active interest in the children within the neighbourhood, these could provide a conducive environment that may deter them from engaging in antisocial behaviour. And also the kind of interaction that parents have with neighbourhood definitely will affect the children's socialization.

Luo (2002) state that trust is a socio-psychological state, in which a party to a relationship adopts a belief that the other party will not act against his/her interests. Somehow it will be unrealistic to expect warring neighbours to become good friends again. But if future problems arise they may be able to work together on sorting out for a viable solution. Social bonding is generally closer than casual relationships as there is a degree of constancy in fellowship and belongingness among members. Berry et al. (1990; 175) state that neighbouring is an interaction elaboration of local identification and sense of place.

In other words, "local places provide an identity, a basis from which interaction proceeds". Throughout history people have lived among their extended families in neighbourhoods, where all of parents served as collective parents to all children. Therefore in neighbour mediation there is that essence of restoring the community common norms, and this probability can be used in welfare society. Because it is common that individualistic norms will override the interests of other people in the community.

4.3 Housing Agencies

Housing agencies can play a useful part in reducing community risk factors by strengthening the bonds between tenants in the way their neighbourhood is run. Learning from the experience of the Kotilo project, housing agencies can play an important role in solving neighbour to neighbour disputes. The housing agencies could easily take up these cases for mediation; thereby avoid a rift that would emerge when neighbours find themselves calling police for intervention.

We must acknowledge that residential areas are the first forum of normal social interaction and consequently a place of creating a feeling of belonging. The diagram below shows how important the housing agencies are community social cohesion.

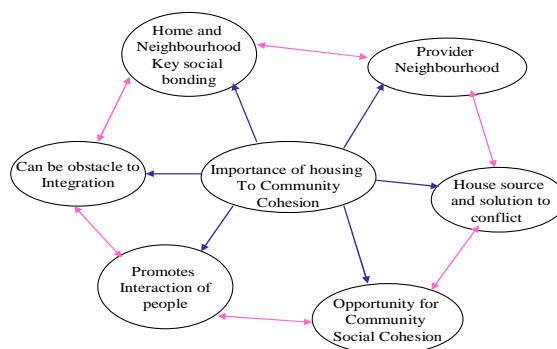


DIAGRAM 2: House the source of neighbour

Currently urban areas are now characterised with high level of social mobility where people have become alienated from the communities of their natural relatives and neighbours. These factors are no exceptional to Turku city and ultimately they are a source and solution to conflict which are threat to community's social cohesiveness.

The main purpose of housing agencies working in collaboration with neighbour mediators' is to provide viable alternatives, where when a conflict arises the housing agency informs mediators. The ultimate goal of this viable alternative is help solve the conflict instead of been channelled to the police. Channelling of these neighbour conflicts to police can create rift between parties become worse and a threat to peaceful co-existence.

Housing agencies are important players to successful integration which is important for any community. Integration requires effectively broad range of integration services and careful integration planning. Integration is also closely tied to security. Therefore it is important to enable residents participate in the community as equal members.

5 CASE STUDY

The case study is on neighbour mediation as an alternative method of dispute resolution on non crime conflicts. The working is based on mediation exercise brought forward to my placement place by town housing agency. Objectives of this project were to create an alternative models and practices for a better dialogue, prevent, transform and help resolve housing-related conflicts in the urban residential area. The exercise involved a neighbourhood area in Turku whose residents were engulfed in neighbour disputes that threatened the social cohesion of the community fabric.

In general, the mediation case examined involved conflict which arose as a result of children disturbance between two families who were once great friends. The main presenting issue was disputes which originated in disputes between children, with which parents had become involved, threats, noise and numerous complains to police. Following the social office multiplied the problem into a bigger problem that divided the community into camps.

The conflicts had been ongoing struggles stretching over a long period of time, and escalating over time through a series of acts of nuisance and mutual retaliation. Taking into consideration the numerous complains made to the police, there was no response because no law had been violated.

The victim-offender mediation model could not be justified as the right approach for solving the conflict. Working on the realms of restorative justice is based on the idea that crime harms the victims. So it looks at crime and justice thus working alongside the formal justice system. In solving the problem it only creates the opportunities to address the hurts and the needs of victims whilst holding the offender accountable in an affirming manner. However, as it is that rarely can victims of crime be really restored to their previous conditions. Even if goods are returned or instance claimed or wounds healed, there are still likely to be emotional scars for the victim.

The hope is that, rather than aim to simply restore what has been lost, a dialogue between victim and offender can transform the crime into something different, so that

the experience can be a healing one for all concerned. Therefore, in adopting the transformative mediation approach as a social justice tool of solving conflicts, neighbour mediation meant to seek change over disputing behaviours, resolve conflicts, and rejuvenate the idea of interaction while restore respect between the parties. This is based on values of respect, tolerance, compassion, empathy, trust and forgiveness. In strengthening the idea of taking the conflict back to the people idea of making them feel that their actions can make a difference.

The neighbour mediation fulfils this agenda where it notes that hostilities between parties, often arising from differences in interpretations of events and this ought to be discussed openly. So, any agreeable solutions which are acceptable to both parties and reached in favourable atmosphere enable the causes behind the dispute to be addressed. The emotions and interests of disputants can be both addressed and reasonably satisfied, non-legal agreement or contract will hold up without force of law or formal authority.

6 METHODOLOGY

The qualitative methodology of data collection was used in the methodology as defined by Denzin & Lincoln, (1994, 2). It is a multi-method in focus, involving an interpretive, naturalistic approach to its subject matter. This research study is based on how solving neighbour to neighbour conflicts through neighbour mediation can help foster community building and social cohesion. This means that the topic of study focus on everyday activity as Van Maanen, (1983, 255) defined, enacted, smoothed, and made problematic by persons going about their normal routines.

The methodology is used in trying to address the content matter of the research. The philosophical paradigm of this research is related to a critical theory. This includes the basic paradigms of any qualitative research directed at generating empowering or emancipatory social change directly through research (Harvey, 1990, Popkewitz, 1990.) The approach was valuable since I wanted to explore the mechanisms of neighbour mediation and the use of other evaluation criteria would not have been clear.

It was important to understand the practices in detail and to discover how the process and the actual worked, while analysing people's subjective feelings of outcomes. The study shares the theoretical assumptions of the interpretative paradigm. In that it is based on social reality that is created and sustained through the subjective experiences of people involved in communication (Morgan, 1980.) Social actions can only be understood through interpretation of the meaning and motives on which it is based. The aim was to interpret meanings of phenomena occurring in their normal social contexts.

The methodology was valuable in obtaining a more realistic feeling that could not be archived in numerical data and statistical analysis used in quantitative research. In other words, when trying to draw conclusions on neighbour mediation, qualitative analysis presents the best platform that helps present the feelings. The feelings of recognition and empowerment cannot be presented in numerical data, but qualitative methodology can help in understanding the meanings which translate into the event of social action.

6.1 Data Collection

The data collection was based on the research questions of how normative neighbour disputes can be solved in an acceptable and constructive way, and how can it bring about a cohesive community. Two strategies of data collection namely observation and questionnaires were used. The data collection strategy was done at different stages of mediation process.

The starting point was the use of observation strategy on the mediator after the case had been reported for intervention by the housing agency. The purpose was that of analysing the mediator's emotional intelligence skills, in this context the idea was to look into factors of self awareness, self management, social skills and social awareness. The choice for this method was taken in the context of having had my placement study at the organization, so I participated in the proceeding as an onlooker observer. The choice of questionnaires was based on what Kohlberg's (1969) notes as principled moral reasoning, which is an individual holding moral principles that are universalized and acting in accordance with what is right.

Patton (1990) notes there are variation in observational method. First, the extent of the researcher's participation can vary from full participation to onlooker observation. Because qualitative research normally attempts to understand meanings that people give to their deeds or social phenomena in this case the mediator's emotional intelligence as phenomena was the focus. Observation method gave me the realistic ground of interpretation of social actions, how a normative neighbour dispute can be solved in a constructive and acceptable way.

Skills such as interpersonal relationship and empathy could have an impact on overall mediation process of solving disputes in a constructive and acceptable way. I believed the method was a tangible baseline of sociology in a qualitative research providing a forum for a qualitative analysis from the base of case study. Miles & Huberman (1994: 159) note that analysis is linked to building of logical chains of evidence which are specific and determinate, grounded in understanding of events over time in the concrete local context and tied to a good conceptualization of each variable.

In other words it provided a holistic view of the phenomena under investigation Bogdan & Taylor, (1975) introduced by building of logical chains by navigating through the whole process from initial contacts among parties to conclusion. The issues of emotional intelligence were to analyse the mediators' emotional self awareness, management, social skills and social management. This factor was analysed in the manner of assertiveness, self regard and stress tolerance to un-earthen the full story by avoiding easy route to quick compromise, but exploring the real centre of conflict. Bogdan and Taylor (1975, 13-14) relate an insider perspective to the phenomenological roots of qualitative research:

The phenomenologist views human behaviour as a product of how people interpret their world. The task of the phenomenologist...(and) the qualitative methodologists, is to capture this process of interpretation. In order to grasp the meanings of a person's behaviour, the phenomenologist attempts to see things from that person's point of view. (Bogdan and Taylor 1975, 13-14)

Grip on assertiveness allows the mediator to avoid domination of the proceedings by one party, thus allowing parties to accommodate one another. Therefore creating an atmosphere for negotiating strengthens and improves confidence in ability to negotiate strategically. Self management on tone used to establish rapport among the parties to feel comfortable while establishing trust to participate in the process. It is about the validation of perceptions about the conflict and its causes whose variable actually is the purpose of anger.

This self management was observed in the scenes where the mediator to maintained a general tone of optimism throughout the process that a constructive resolution could be possible. The use of reflection was for establishing common ground and differences to enable change of attitude and understanding of the other's perspective. Social awareness phenomenon of empathy where the general aspect was the feeling of empathy among parties could be a guiding platform.

Empathy is not treated as a commodity for exchange, but offered on condition that the other party does the same. Empathy was evidenced through parties' feelings about the plight of children who were having disputes. The feeling here was on this socialization needs of children as noted in Maslow's hierarchy needs. The awareness on social skills

comprised the variables of communication, active listening and reading nonverbal cues. Communication actually signals the appropriate way to help parties understand the conflict and build confidence.

The other process of data collection involved the use of open and closed questionnaire, where a total of 15 questionnaire forms were issued to the parties who had turned out for the meeting in this mediation dispute. This questionnaire included a set of 5 questions which I ensured that had been well translated into Finnish language. This step was at the stage when the mediator had managed to have a face-to-face talk with all parties and they agreed to come to a meeting and had a face-to-face talk of all parties involved.

7 ANALYSIS

As mentioned earlier, this is a qualitative research study that identifies a range of issues and the intensity with which views are held. The neighbour mediation process is a non-adversarial approach of solving conflict and the mediator generally facilitates communication between the parties in focusing on the real issues of the dispute. Since, the process works within a structure which gives the mediator the opportunity to guide the parties in mediation.

Analysis of my data was based on data collected through observation and use of questionnaires. This data is analysed through interpretative strategy of analysing the subjective feelings of the parties involved in communication. Social actions can only be understood through interpretation of the meaning and motives on which they are based by also interpret meanings of phenomena occurring in their normal social contexts. Incorporating components collected from the two process of data collection provide a basic ground that will enable me answer the research questions on:

- How can normative neighbour conflicts be solved in a constructive and acceptable manner? and
- How neighbour mediation can help to the notion of community building and social cohesion?

The analyses were done under the following contents:

- Mediation and mediator
- Recognition
- Empowerment
- Community social bonding

7.1 Mediation and Mediator

Mediation is a conflict solving mechanism where the aspect of conflict solving is an art as well as a human process. Solving conflict demands communication and part of the process of resolving conflict is mediator allowing parties to communicate about their respective positions, and come up with a mutual understandable position. Virtually knowledge and understanding of mediation contributes to successful performance of the process as outlined by the adopted definition of mediation by Lon Fuller (1971).

The analysis will focus on the mediator's emotional intelligence as was observed in the mediation sessions because emotions significantly impact mediations. It is emotions that both fuel the conflicts and it is through emotions that they can be resolve. During mediation sessions mediator's encounter emotional reactions and need to understand that the influence of this emotions.

Emotion allows seeing the differences in things where even communication can be non-verbal. Without emotion everything would look the same. Therefore the mediator should not only focus on the facts and forget the feelings. Because in every situation that people face, they attach feelings to it and emotions is what non-verbal communication is made of. These components of mediator's emotional intelligence can be briefly summarised in the following version.

Self awareness is an essential component in becoming an integrated mediator and is made on the version that it is often easier to gain awareness of emotion in others than in ourselves. Self awareness requires the mediator to develop his/her own emotional self awareness. The logic is to avoid them projecting their unrecognized emotions onto others. Key component is self confidence where one cannot project self confidence without self awareness. Self-management gives the mediator greater emotional control. An emotionally competent mediator focuses on rational decision making process and facts at hand (Bowling & Hoffman; 2003).

By focusing on rational decision making and facts the mediator will avoid responding to inappropriately outburst of emotion from parties, ultimately chooses responses instead of being led by emotion. If the mediator does not have self-management skills, he/she

may respond inappropriately to an outburst of emotion from the parties. It takes self control and tolerance both to evaluate the clients and to understand the real problems that are fuelling conflict. Self management enables the mediator to use reflection in establishing common ground while uncovering hidden interest (Bowling & Hoffman; 2003).

TABLE 1: Mediator's emotional intelligence factors

Components	Variables	Strategy	Transformation	outcome
Self awareness	self-confidence and stress control	managing self emotions, explore the nerve of the conflict	Examination of inner self that could limit their effectiveness. Leadership of mediator	Impact of the mediation process
Self Management	assertiveness and tolerance	Emotional control	choosing responses instead of being led by emotion	Enhancing the parties negotiating power
Social awareness	interpersonal relation and empathy	Listening to parties and uncovering interest	respect through validation of perceptions about conflict and its causes: purpose of anger	Parties:- perceive acceptance of selves and situation
Social Skills	Tone of communication	managing self, develop process rapport, emotions	improves self awareness	guide the process and mediator's appropriate ways communicating

Social awareness includes two important skills mediators acquire for empathy: active listening and reading nonverbal cues. Dispute solving demands communication and the process of solving conflict is allowing parties involved to communicate with one another and come to a mutual understanding.

Communication can be non-verbal, the mediator should avoid focusing on the facts while forget the feelings because emotions is what non-verbal communication is made

of. The hope is feeling for empathy for parties that guide parties feel empathy for each others (Della Noce 1999) and is a critical element of empowerment and recognition.

7.2 Empowerment

Mediation essentially is an empowering activity which aims at helping people take decision rather than rely on decision imposed on them by law. Empowerment is a social process that occurs in relationship to others. It is a multi-dimensional social process that helps people gain control over their own lives, a process that fosters power in people to use in their own lives and in communities by acting on issues that they define as important.

It is the restoration of the party's sense of their own value and strength and their own capacity to handle life's problems Empowerment aspect in this transformative mediation process is archived through the process of, enhancing the social skills of the residents to deal with their disputes and contributing to the building of a true neighbourhood. In other words it is not about the issue of power balancing or redistribution, but rather, increasing the skills of parties in making better decisions of their own. Folger & Bush, (1994) explain that it is "The restoration to individuals of a sense of their own value and strength and their own capacity to handle life's problems" (p.2).

In this paper it has been noted that one aspect this neighbour mediation as an alternative method of solving conflict is taking the conflict back to the people. When asked in the questionnaire.

What do you think would be the best procedure to address conflict with your neighbour?

Mediation Process

Legal Process

Other Process namely

There was an agreement that mediation process was a right forum of solving this kind of conflicts, where the starting point for the approach is the way that conflict itself is looked at.

Rather than looking at it as a dispute which needs to be settled, it is looked at in human interaction terms. Conflict is defined as a crisis in human interaction. Hence it is looked at in interaction terms and the model focuses on the way the parties interact with each other during the mediation rather than on the outcome of the dispute. This empowerment was traced in the ability of the mediator, creating a cooperative climate that establishes trust where parties felt motivated to participate without fear as narrated by Luo (2002) on the importance of trust.

Through the mediator's assertiveness and tolerance a strategy of emotional control emerges where choosing responses instead of being led by emotion helps to enhancing the parties negotiating power. The notion here is further supported by this question on the view of thought.

Do you think the chosen process will help improve relationship with your neighbour again?
 Yes
 No
 I don't know

Actually, there was a variation in response where some answered it was possible while some where not sure at all. However, one point is that empowerment dimension acts as a stimulus for social cohesion which provides psychic support, since a decrease in social cohesion will tilt towards increased conflicts. Individual change can become a bridge to community connectedness and social change. The dimension of the empowerment is the transformation of when parties learn how to listen to the diversity of opinions, values and aims.

Learning how to communicate, analyse issues, able to evaluate alternatives and make decisions more effectively. It is this decisions that bring about positive developments on solutions acceptable to both sides, reached in a way that enables the cause of the conflict to be addressed and this further lays a better ground work for continuous interaction

than having solutions imposed from outside. Empowerment has a special meaning in the context of transformational mediation model (Folger & Bush 1994).

Encompassing empowerment it is about parties getting more awareness of their positions and their values and be more able to deal with difficulties they face. Recognition is the perspective, views, and experiences of the other: recognition, they say, means the evocation in individuals of acknowledgment and empathy for the situation and problems of others. This aspect of recognition of others is more important than the ideal of reaching an agreement. Recognition involves “becoming more open, attentive, sympathetic and responsive to the situation of the other party” Folger & Bush, (1994, 89).

A question to ascertain if indeed neighbour conflicts are an issue that is experienced in our everyday life was.

Do you ever have conflicts with neighbours?

Yes

No

For all the sake all correspondents acknowledged of having conflicts with their neighbours, this acknowledgement confirms that conflict is something that we encounter in our everyday interactions on divergent views. Recognition can be in thought, words, or actions. Giving recognition in thought involves releasing oneself from one's own viewpoint, even temporarily, and trying to see things from the other party's perspective (Folger & Bush, 1994).

Giving recognition in words involves openly acknowledging the understanding of the other party's position or view. Giving recognition in action means changing ones own conduct to accommodate the other person or the other side. In overall recognition in its totality does not mean reconciliation. But what are the effects of this conflicts, so the questions to answer this was.

Do you think that this kind of conflicts can cause division within the community?

Some how

Not at all

Very much

From the response most of the respondents acknowledged that actually conflicts creates division very much. The notion of recognition in neighbour mediation through the transformative approach is that the conflict gives rise to an opportunity for moral growth and transformation, since the process of solving a conflict is a long term endeavour.

7.3 Community

Community development is an important feature of the neighbourhood mediation model. Neighbouring involves positive and negative aspects of social interactions, expectations and attachments of individuals with the people living around them and the place in which they live. In this mediation case, the disputes involved had brought the whole community into warring camps. Ultimately some of the children were the perpetrators and victims of the disputes.

For the purpose of getting upper hand information from the parties the question below was contained in the questionnaire.

Who do you think could be affected with this kind of conflicts?

All parties had a concern on the plight of the children. In view of this it highlighted the importance of neighbour mediation that a community can increase the risks in children and young people's lives, or it can provide an enabling environment within which healthy development that enables children and community members achieve their full potential.

The use of neighbour mediation applying a transformative approach tentatively attempts to address the deeper cause of the dispute. While creating positive avenues change in communication, through empathy they could realise the kind of damage their disputes were having on their everyday life.

8 RESULTS

Results of this study are based on the idea of establishing an ideal mediation process in circumstances resolving the petty neighbour to neighbour disputes that are not of criminal intend. Ideal process is actually establishing an alternative way that can help solve this disputes in a more constructive and acceptable way. Actually, in its comparison making decisions is part of an art of problem solving, and this problem solving is about recognising a problem or opportunity and then finding a solution to it.

Therefore, generating a viable solution will to a greater extend depend on the adopted process that is combined with techniques and strategies designed by the mediator. In total an ideal mediation process should contain two mechanisms. Because this ideal mediation process will originate from how the mediator respond in determining the most efficient way to resolve the disputes. In my study the two identified mechanisms that can be said will contribute to this ideal process are:

- A mechanism of established referral route for disputes
- A structured step by step mechanism in which the mediator incorporates various kind of techniques.

These mechanisms will provide the mediator with a strategy that is based on a two fold dimension that comprise of transformation and outcome dimensions. Henceforth the projected ideal neighbour mediation process that accommodates these two mechanisms results can be analysed in the following manner.

8.1 Dispute referral route

The dispute referral route mechanism is about establishing channels through which tenants or residents can report dispute complains for mediation. The idea is to break the normal tradition of parties involving police in petty neighbour to neighbour dispute to solving the impulse. In this situation the housing agency who are key providers of our

present day neighbourhood and community's acts as referral agency. Mentioned above was that dispute referral route a mechanism is about establishing channels through which disputes can be channelled. Tentatively my projected channel for ideal neighbour mediation model is a preferred dispute referral route from the disputing parties to housing agencies then mediators.

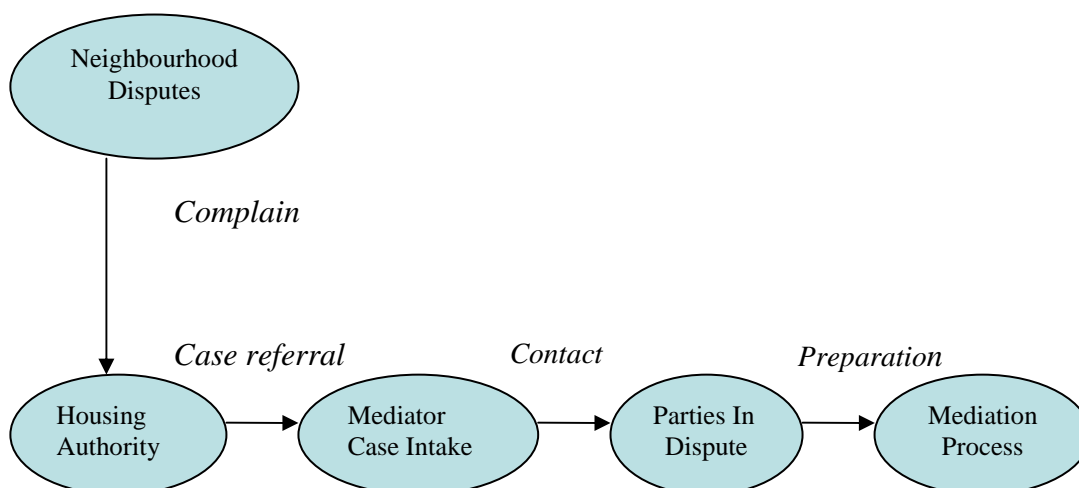


DIAGRAM 3: Dispute solution referral route

8.2 Ideal Mediation Process

In this mechanism the emphasis is shifted to the mediator's base because to a greater extent his/her role could determine the mediation process. This Ideal mediation process is duly structured step by step process which the mediator could employ in bringing all parties to board. I noted earlier that archiving a viable solution in neighbour-to-neighbour conflict much will depend on the adopted process.

Ideal mediation process would be one that incorporates the following structured step by step process. It is a structured mechanism in which the mediator employs his/her emotional intelligence skills and techniques in archiving the two fold dimension of transformation and outcome. These dimensions have been outlined in the table below

which is a combination of the step by step process and the mediators' emotional intelligence aspect.

Skills which do not focus not on a body of technical knowledge but on interpersonal skills because as a client-based service delivery was the element of non-technical interpersonal skills are very important. Having an Ideal neighbour mediation process after a case has been brought forward to the mediator for mediation by housing agents could involve the following.

Step 1 Initial contact with party's preparing work on disputes

Step 2 Setting the hearing and exploring issues from both parties

Step 3 Building consensus

Step 4 closure and follows ups

Below is now a brief analysis of the above mentioned stages in liaison with the toolbox in the table and as to how they provide an ideal process of mediation that can act as an approach of solving normative disputes in a constructive and acceptable way.

8.2.1. Initial Contacts and disputes issues

This is the starting point of contacts by the mediator to first and second parties in dispute on separate occasions while taking into account the emotional intelligence of 'when and how' concept. This is a vital stage of the process since it involves the identification of the problems. Marian (2000; 43) states that the mediator ought to use his/her skills of active listening and create a cooperative climate so that he/she can establish a working relationship with parties in order to un-earthen the full story of the dispute and its history.

Since in most cases the initial complaint in complain case is always the shallow issue of noise, children's behaviour etc. The inputs of skills and techniques of mediator will involve creation of cooperative climate while establishing trust. The transformation process occurs in the form of meeting the needs for security, safety and the common

variables here are motivation of both parties. Tentatively the initial contact stage provides the mediator with a base of gathering information on issues under dispute. From the point of view noise, children's behaviour, discrimination and use of abusive language will provide one window for mediation.

Secondly, the nature and extend of breakdown in relationship will be an indicator of how entrenched the dispute and could as well involve other agencies like police, and the social welfare authorities. Thirdly, there are other parties like neighbours who are directly or indirectly involved in the dispute, and as I mentioned earlier that, current modern communities are absolutely characterised with high levels of social mobility. The content is that people have become alienated from communities of their natural relatives and the neighbourhoods are now turning up as breeding grounds of loneliness, depression, exclusion which aggravate problems to become complicated and problematic.

In this case it will be necessary for the mediator to explore the possibilities of networking to help bring about change subject to the consent of the parties. In Pincus and Minahan (1973, 15) they regard a social worker as a cross between a servant of client needs and social mechanic. The mediator as an agent of change and a servant of the client the mediator will have to act inline with the major functions of social workers been:

- Helping the clients to develop their problem solving and coping capacities
- Building the bridge between the client and resource systems
- Facilitating the interaction between the clients and resource systems
- Acting as an agent of social control

8.2.2. Scene Setting and exploring issues

This session is the outcomes of the inputs that centres on the transformational aspects when parties are ready to participate without feeling threatened. It involves introductory remarks by the mediator, outlining the role of the participants and demonstrates the

mediator's neutrality. The mediator gives a brief comment on dispute issue; the parties are given the opportunity to present their statement of the problem (Folger & Bush1996).

This is the information gathering session where the mediator gives each party the opportunity to present perspective of their case without interruptions. The rationale is to give the parties an opportunity to frame issues in their own mind, and to give the mediator more information on the emotional state of each party. During this session effective control by the mediator is vital and essential, when the issue of power disparity is taken into account as it set the tone of the whole session.

The mediator's social awareness skills and self management are vital at this point; where the mediator's active listening without judgement is important. It is a stage of empowerment and recognition as it involves exploration and accusation of issues in the wider context among the parties while concentrating on past issues. The manner of intervention is absolutely crucial in maintaining control of the process and ensuring that power difference does not damage the hope of workable solutions. What is meant here is that it is power that is manifested itself in the specific dispute and this power is compounded in the relationship rooted in the parties. Gewurz (2001, 148-149) note that 'as is the interplay between negotiating style and the exercise of power, and between the options available to parties and their exercise of power.

Self management comes into focus as the mediator ought to choose responses instead of been led by emotions. In social awareness skills include two important aspects for empathy, namely the active listening and reading nonverbal cues. Here is the hope of feeling empathy among the parties which will be a guide for parties to feel empathy for each other. Transformation is achieved through validation of perceptions conflict and its causes also the acknowledgement of others concern arises.

The outcome of inputs here is parties perceive acceptance of selves and situation while promoting social cohesion as well as having the negotiating strength. This is an empowerment process whereby parties come up with solutions that can enhance their day to interactions.

8.2.3. Consensus Building

Consensus-building refers to a process in which participants seek a mutually acceptable solution of their differences. The mediator does not make a decision about who is right or wrong or what the best outcome should be instead, helps in holding constructive discussions by establishing a framework and facilitating communication between the parties reach their own agreement as they have a significant control over the end result (Shonholtz 1983).

The mediators inputs is the use of skills and techniques of managing attempts dominance by one party and use reflection reframing of issues to establish a common ground of difference. At this stage the particular element of transformation occurring about among the parties is that their negotiating power is harnessed rather than the imposition of decision. Also is the change of attitude towards other party, understanding of the other's perspective and the issue of recognition to other may emerge ((Folger & Bush 1994).

Outcome can be analysed in the parties negotiating strength, more confidence in their ability to negotiate strategically with greater clarity about their needs. Virtually it is only through effective communication and acknowledging the ownership of the situation that they will be able to effectively resolve the dispute. Reflecting on their own actions will likely create a difference and effective ways of acting in the future. Ready to work on solutions that meet their needs as the decision will definitely stays in the parties' hands and not passed to a judge or arbitrator for evaluation (Shonholtz 1983).

8.2.4. Closure and Follow ups

Closure and follow-up stage is the last step of the mediation process after the consensus building where parties may agree or disagree on the outcome of the mediation. However, as the notion of conflict is that, conflict is a problem that needs to be solved; through the transformation neighbour mediation approach that issue is not about settlement.

This unique process is about allowing the parties to transform themselves and bring a positive change to the whole community by defining problems and goals in their own terms. The follow ups provide ground for further empowerment of parties and community as a whole. This stage is a window for the mediator and other network agency to make follow ups help the parties in this whole transformative process in case of any need.

Process	Purpose	Inputs skills/techniques from Mediator	Transformation Occurring	Outcomes
Initial Contacts	<ul style="list-style-type: none"> - Identification of the problem. - Establishing a working relation with parties. 	<ul style="list-style-type: none"> - Creating a cooperative climate. - Establishing trust. - Explanations of role and process. 	Meeting of parties needs hence:- <ul style="list-style-type: none"> - Motivation of parties. - Leadership of mediator. 	Parties ready and willing to participate without fear.
Preparing work on dispute	<ul style="list-style-type: none"> - Source and history of dispute - Relationships and agencies involved. 	<ul style="list-style-type: none"> - Networking with other agencies. - Effective Communication. 	<ul style="list-style-type: none"> - Change of Perception. 	<ul style="list-style-type: none"> - Confidence of face to face meeting
Hearing and exploring issues from disputing parties	<ul style="list-style-type: none"> - Information gathering as parties present their case - Information on emotional state of the parties 	<ul style="list-style-type: none"> - Active listening without judgement - Open ended questions - Control of situation and power disparity 	<ul style="list-style-type: none"> - Feeling of empathy. - Validation of perceptions about conflict and its causes - Emotions purpose of anger 	Empowerment and Recognition Parties:- perceive acceptance of selves and situation
Building Consensus	<ul style="list-style-type: none"> - Allow parties have a mutually acceptable solution. 	<ul style="list-style-type: none"> - Prevent domination and accommodation. - Reflection and reframing to establish common ground. 	<ul style="list-style-type: none"> - Negotiating power harnessed than deleted. - Change of attitude through understanding of other's perspective. 	<ul style="list-style-type: none"> - Ability to negotiate strategically. - Greater clarity own needs, ready to work on solutions that meet their needs.
Closure and follow ups	<ul style="list-style-type: none"> - Parties agree or disagree. - Conflict seen as a problem 	<ul style="list-style-type: none"> - Networking. - Communication skills. - Non 	<ul style="list-style-type: none"> - Any positive step made matters a lot 	<ul style="list-style-type: none"> - Further consultation and follow up. - Community

	that needs to be solved	judgemental but encouragement.		work and development
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TABLE 2: Mediation Toolbox developed by Pat Marshall 2004

9 DISCUSSION

My discussion mainly centres on this transformative neighbour mediation approach. Basically the focus is on recognition and empowerment of parties. I presume in neighbour mediation parties should not be rushed simply for the purpose of reaching an agreement on the dispute and then to move on. Rather, there is need that they should work out an approach emphasising recognition and empowerment. This could help in bridging the gap in situation of communication breakdown, and also having the capacity to deal with any future dispute.

A successful mediation should not necessarily be defined solely by whether or not agreement is reached. At times the provision of a safe forum in which discussion can occur between disputants is actually profoundly valuable in itself, whether or not formal agreement is reached. In my case study a safe forum contributed to a worthwhile outcome between the parties, where some parties who could not talk face-to-face went home and engaged in dialogue that could help solve their difference and foster interaction.

Trust is a vital component that should not be discarded in mediation. It ought to be developed between parties and the mediator. A crystal clear principle of mediation is that parties must consent to the mediator; failure to consent will lead to a general reluctance of parties to engage in the process. This dimension must be in both directions where trust has to be achieved so parties can work effectively together

Agenda-setting and communication is absolutely important. In my observation as an onlooker participant during mediation session, the language used by mediators played a big role in the whole process. The tone used should be comfortable for the parties and be natural for the circumstances of the mediation. It is true that communication problems between parties is central to disputes; therefore paying specific attention in the mediation to how the parties communicate with one another, will aid their resolution of their dispute. Social skills such as communication are what parties see when the mediator speaks and moves. These skills guide the process and help the mediator to gently influence the parties while also signalling appropriate ways of communicating.

Mediator's neutrality is one of the strategic principal in mediation requires that does require non-partisan mediators. It is reasonable to require mediators to strive for their own self-awareness of their reactions within mediation, and to strive for neutrality and for non-judgemental as goals. Even where a mediator may be known to a party an outward indication of neutrality still remains for the mediator to have no involvement in the dispute. Despite increasing challenge to the practicality of the ideal neutrality, the avoidance by mediators of what could be construed as a conflict of interest remains fundamental.

9.1 Professional Development

My professional development during this period of my data collection gave the opportunity to understand the application of social work values, principles, and techniques in different arenas. Pincus and Minahan (1973,) regard social workers as a cross between servant of client needs and social mechanisms, where the major functions are geared at helping people to develop their problem solving and coping capacity. Building bridges between clients and resource systems while acting as an agent of social control (p.15).

Neighbour mediation provides a new emerging social work profession that can play an important part of social work in response to community work. Crucially the agenda in social work is about creating atmospheres for positive change, change that enables clients understand they poses the potential of solving their problems. My professional development was enhanced in understanding the ability of neighbour mediation to energise community work. These arise from belief that the causes of conflict lie within the community and can be solved by the members of that community.

Another vital element was in regard to one important issue of self-awareness, understanding my own personal and cultural values and beliefs is paramount as a first step in appreciating the importance of multicultural identities in the lives of people. The interpretation here is that as a social worker I should examine my own cultural backgrounds and identities to increase awareness of personal assumptions, values, and

biases. Self-awareness of own cultural identity is fundamental to practice as the informed assumptions about clients' cultural backgrounds and experiences. It is the need of moving from being culturally aware of own heritage to becoming culturally aware of the heritage of others.

One demoralising aspect was that despite the expansion of the application of mediation, there seem not to be a balance between availability of work and the numbers of people being trained in mediation. There is a growing difficulty for newcomer-mediators to gain practical experience after their training if they are not attached to an agency. Even observational opportunities for newly trained mediators are limited, for practical reasons.

Mediation training provides useful skills that could be applied in various personal and professional developments. Acting as an agent of change, mediator's skill is like change catalyst and understanding mediation contributes to successful performance. Therefore, it is quite frustrating for those who have trained but cannot find work as mediators.

9.2 Conclusion

The ancient Chinese philosophers viewed reality as the dynamic interplay of two opposites the yin and the yang. The understanding of change is reflected in the term used for crisis which composed the subject for danger and opportunity. Applying transformative approach in neighbour mediation is translated to mean that conflict is an opportunity for moral growth and transformation. It is a unique process that allows parties to transform themselves as a whole by defining problems and goals in their own terms.

Fundamental changes in our community will not actually come about from results of legal battles imposed by legal fraternity, but only through people changing their minds of having empathy for others. Mediation should encourage the expression of emotions as an integral part of the conflict process while working to identify solutions. In so

doing, the target transformation is empowerment and recognition which brings about change, the change that brings about the much desired cohesiveness.

Through emotions parties get to understand the views of other party in the process. Neighbour mediation as an alternative strategy of solving disputes emphasises on a transformative approach. The assumption is based on the premise that, parties and community poses the rational and practical will for change and can change when given the appropriate environment. The strategy is about providing the right information and education to allow individuals to change their own volition. Mediation approach here is about bringing positive change to the community. The right information and education could spell out the need why people should avoid reporting minor dispute cases to police, but rather talk and find amicable solution.

Lack of skilled mediators is a hindrance to ensuring that the right people are in the right place to bring about needed changes. Through networking by mediators there are possibilities of inviting experts from outside. Neighbour mediation conflict is a long term process; parties should spend more time together help to promoting the kind of thinking that stimulates creativity and best-case scenarios. Another conception here is the frequent interaction among parties which brings about clarity of issues and a greater understanding among parties.

Change begins from bottom up, not top down. So if focus is on changing the individuals who make up a community; therefore it is about improving the problem-solving capacities of a community. Encouraging individuals to be self-diagnosing based on strategies that are oriented against coercive and nonreciprocal. This has an influence both on moral and pragmatic grounds, because in neighbour mediation any small step counts.

'All individuals are assumed to be equal and therefore to calculate the sum of human happiness it is necessary to add up the increase in happiness that would be experienced by individual following a particular act or action' (Mill; 1863).

10 REFERENCES

- Bazemore, Gordon & Umbreit Mark 1995. The balanced and restorative justice report: Centre for Restorative Justice and Mediation. Minnesota. University of Minnesota: School of Social Work.
- Berry E. Helen, Richard S. Krannich & Thomas Greider 1990. A longitudinal Analysis of Neighbouring in Rapidly Changing Rural Places. *Journal of Rural Studies* 6 (2), 175-186.
- Beckett Chris 2007. *Child Protection: An Introduction*. (2ed.) London: Sage Publications Ltd.
- Bogdan, R, & Taylor, S.J 1975. *Introduction to qualitative research methods: A Phenomological Approach to the Socail Sciences*. New York: John Wiley.
- Bowling Daniel & Hoffmann David (Eds.) 2003. *Bridging peace in the room*. San Francisco: Jossey Bass Publishers.
- Butcher Hugh 1993. *Community and Public Policy*. London: Pluto Press.
- Burgess, H, Burgess, G, Glaser, T. & Yevsyukova M 1997. *Transformative Approach to Conflict: Conflict Resolution Consortium: Colorado State University*.
- Bible 1983. *New International Version: International bible society*.
- Bright, J 1997. *Turning the tide: Crime, community and prevention*. London: Demos Publications.
- Bridge, G., Forrest, R., & Holland, E 2004. *Neighbouring: A review of the evidence*. University of Bristol: ESRC/Centre for Neighbourhood Research.
- Coleman James 1998. *Social Capital in the Creation of Human Capital*. *American Journal of Sociology*: vol. 94, S95-120.
- Denzin, N.K., & Lincoln, Y.S 1994. *Introduction: Entering the field of qualitative research*. Thousand Oaks. CA: Sage
- Drew, P. 2005 *Conversation analysis*, pp. 71-102 in K.L. Fitch & R. Sanders (Eds.) *Handbook of Language and Social Interaction*. Mahwah, NJ, Lawrence Erlbaum.
- Fryer, D 1991. *Qualitative methods in occupational psychology: Reflections upon why they are so useful but so little used*. *The Occupational Psychologist*, 14 Special issues on qualitative methods, pg 3-6.
- Folger Joseph & Bush Baruch 1996. *Transformative Mediation and Third-Party Intervention: Ten Hallmarks of a Transformative Approach to Practice*. *Mediation Quarterly*, Volume 13, Number 4

Fuller Lon 1971. Mediation: its Forms and Functions. Southern California Law Review, Vol. 44.

Gewurz, I.G Redesigning mediation to address the Nuances of Power Imbalance. In Conflict Resolution Quarterly Vol 19, No.2, Winter 2001.

Gray John 2002. Responding to community conflict: A review of neighbourhood mediation: Joseph Rowntree Foundation.

Harvey, L 1990. Critical Social Research. London: Unwin Hyman.

Iivari Juhani 1982. Köyhät ja kurinpalautus – raportti vankilan tehtävästä: Otava, Keuruu 1982.

Jenson, J. 1998. Mapping Social Cohesion. The State of Canadian Research. CPRN Study F03: Ottawa

Johnson, T.J 1972. Professions and Power. London: Macmillan Press.

Kohlberg, L. 1969. Stage and Sequence: The Cognitive-developmental Approach to Socialization: In D. A. Goslin (Ed.) Handbook of Socialization Theory and Research. Chicago: Rand-McNally.

Larson, M.S. 1977. The Rise of Professionalism a Sociological Analysis Berkeley: University of California Press

Lederach John Paul 1995. Preparing for Peace Conflict Transformation Across Cultures: Syracuse University Press.

Liebmann Marian 2007. Restorative Justice How It Works. Jessica Kingsley Publishers: London and Philadelphia.

Miles, M. & Huberman, A. 1994. Qualitative Data Analysis, an Expanded Source book. Thousand Oaks: Sage.

Mills J. S. 1863. The ethics of Organizational Politics, London: Parker, Son and Bourn.

Morgan, G., 1980. Paradigms, Metaphors, and puzzle solving in Organization Communication: Administrative Science Quarterly, 25, 608-621.

Marshall, T. & S. Merry 1990. Crime and Accountability: Victim/Offender Mediation in Practice. London, England: Home Office.

Mackay, R.E., & Moody, S.R 1996. Diversion of Neighbourhood Dispute to Community Mediation: Howard journal of Criminal Justice 34/4, 299-313.

Mackay, R.E. & Brown A.J. 1998. Community Mediation in Scotland: a Study of Implementation Scottish Office: Central Research Unit.

- Moore Chris 1986. *The Mediation Process: Practical Strategies for Resolving Conflict*: Jossey-Bass Incorporated Publishers.
- Nils Christine 1977. Conflict as Property: *The British Journal of Criminology*, vol.17, Jan 1-15.
- Noce Della Dorothy J. July 1999. Theory in Practice: An Analysis of Empathy in Mediation. *Negotiation Journal* 15:3 pp. 271-301.
- Patton, M. Q 1990. *Qualitative Evaluation and Research Methods*. 2nd ed. Newbury Park CA: Sage.
- Patton, M.Q 1980. *Qualitative evaluation methods*. Newbury Park CA: Sage.
- Peck, Morgan Scott 1987. *A Different Drum: Community Making and Peace*, New York: Simon & Schuster.
- Pincus Allen & Minahan Anna 1973. *Social Work Practice: Model and Method*, Itasca, ILL: F. E. Peacock.
- Popkewitz, T. 1990. Whose future? Whose past? In E. Guba (Ed.) *The Paradigm Dialog*. Newbury Park: Sage.
- Prezza, M., Amici, M., Roberti, T., & Tedeschi, G. 2001. Sense of community referred to the whole town: Its relations with neighbouring, loneliness, life satisfaction and area of residence: *Journal of Community Psychology*, 29 (1), 29-52.
- Robert D. Putnam 2000. *Bowling Alone: The collapse and revival of American community*. New York: Simon & Schuster.
- Robert A., Baruch Bush & Joseph P. Folger 1994. *The Promise of Mediation*. San Francisco: Jossey- Bass Publishers.
- Senft L., Phipps 2004. The interrelationship of Ethics, Emotional Intelligence and Self Awareness: *ACR resolution*, 20-21.
- Shonholtz, R. 1983. Justice from another perspective: The ideology and developmental history of the community. [In S.E. Merry and N. Milner (Eds.) *The Possibility of Popular Justice: A Case Study of Community Mediation*, pp. 201–238.] Ann Arbor: University of Michigan Press.
- Skjaeveland, O., T. Garling 1996. A Multidimensional Measure of Neighbouring: *American Journal of Community Psychology* 24(3): 413-435.
- The President of the Republic of Finland
<http://www.tpk.fi/netcomm/news/showarticle.asp?intNWSAID=51663&intSubArtID=21480> Accessed 22.1.2009
- Van Maanen, J 1983. *Qualitative methodology*. Beverly Hills. CA: Sage Publications

Viirre, Pekka 1981. Uutta kriminaalipolitiikkaa. Torontossa: Diakonia.

Wilson, Patricia A. 1997. Building Social Capital: A Learning Agenda for the Twenty first Century. *Urban Studies* 34(5-6):745-60

Yin, R. K. 1984. Case study research: Design and methods. Newbury Park. CA: Sage

11 APPENDICES

APPENNDICES: 1

English Version: Questionnaire

1. Do you ever have conflicts with neighbours?

Yes

No

2. What do you think would be the best procedure to address conflict with your neighbour?

Mediation

Why?.....
.....
.....

Legal proceedings

Why?.....
.....
.....

No procedure

3. Do you believe that your chosen approach will help improve relations with your neighbour again?

Yes

Why?.....
.....
.....

No

Why?.....
.....
.....

I don't know

4. Do you think that this kind of conflicts can cause division within the community?

Some how

Why?.....
.....
.....

Not at all

Why?.....
.....
.....

Very much

Why?.....
.....
.....

5. Who do you think could be affected with this kind of conflicts?

The whole community

Children

No one else

6. What means do you think could help to avoid neighbour conflict?

.....
.....
.....

THANKS A LOT FOR REPLIES!!!!!!!!!!

APPENDICES: 2

Finnish Version Questionnaire

1. Oletteko koskaan konflikteja naapureiden kanssa?

Kyllä

Ei

2. Mikä mielestänne on paras menettely käsitellä ristiriidassa lähimmäistäsi?

Sovittelumenettely

Miksi?.....

.....

.....

Oikeudellinen menettely

Miksi?.....

.....

.....

yhtään menettely

3. uskotko, että valitsemasi menettelytapa auttaa naapuruussuhteita jälleenrakentamisessa uudelleen?

Kyllä

Miksi?.....

.....

.....

Ei

Miksi?.....

.....

.....

En tiedä

4. Uskotko naapuruuskonfliktien vaikuttavan myös muihin asuinalueen asukkaisiin kuin konfliktissa mukana oleviin osapuoliin yhteisö

Kyllä

Miksi?.....

.....

.....

Ei

Miksi?.....
.....
.....

En osaa sano

5. Kenen Luuletko voisi vaikuttaa tämän kaltaisia konflikteja

Koko yhteisölle

lapsille

Ei kukaan muu

6. millaisin keinoin mielestäsi naapuruskonflikteja voitaisiin välttää?

.....
.....
.....

KIITOS PALJON VASTAUKSESTASI!!!!!!!