

# Editorial

## Opening Up New Frontiers for Mediation

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The aim of the *Corporate Management Journal (CMJ)* is to promote mediation within and between organisations, but it doesn't stop there. Organisations are made up of people, so our overall goal is to raise awareness of the potential that mediation offers to help amicably resolve all conflicts.

This edition of CMJ is devoted to showcasing how mediation offers a vital support function to people, communities, business, corporations, governance, the judicial system and cross-border trade in a wide variety of ways, in the wake of COVID-19. The range of options is limited only by imagination, so be open to surprises and be prepared to consider how mediation can open up new frontiers in your world.

Professional mediators everywhere are stepping forward, sharing their experience of what has worked for them and raising awareness of the potentially transformative power of mediation. Like mediation, the CMJ creates a safe, neutral, impartial, non-judgemental space for free expression with a view to raising awareness and contributing to the professional competence of the profession. So, I echo the challenge of pioneering mediator Joseph P. Folger (in December 2014), when he threw down the gauntlet to mediators, saying:

We challenge you – to join us in rolling back the tide, to put down the mantle of expertise, to start giving up the wise-problem-solver role. Begin reclaiming the job of truly supporting our fellow human beings who, when in difficult straits, need only modest assistance from us to find their own strength, their own solutions, and their own compassion for each other. And who can learn from choices they make that are not perfect, or even don't work out for them, at all.

The CMJ readily takes up this challenge and never was it timelier or more appropriate.

Mediators, everywhere, are asking What more can we do to support humanity at this challenging time? The global pandemic has negatively affected billions of lives, threatened global economies and thrown convention to the wind, wreaking social, economic and political turmoil in its path. Over the past 6 months, the world has had to learn new behaviours for saving lives, and there is an ongoing battle being waged for the narrative of our time. Right now, the virus is dictating that narrative, and humanity is responding as best it can. This is uncharted territory, and we need skilled practitioners as never before. Mediators stand ready to accompany those who seek to explore new frontiers in conflict resolution, to expand the horizons of consensus building and to empower an inter-dimensional response in favouring amicable solutions over destructive conflict, as an age of uncertainty dawns.

Pierre Kirch's article – Recourse to Mediation in Time of Crisis – asks: 'Is business ripe for a new approach that saves time and preserves relationships, also in the field of competition law?' The pandemic has led to a rethinking of methods of dispute resolution everywhere, and Kirch calls on mediators to explore new possibilities that can lead to the peaceful resolution of conflicts, alongside traditional legal, judicial and arbitration options.

Martin Brink, editor-in-chief, proposes better ways of handling potential conflict (other than by litigation) in his article – Dispute-wise in the Supply Chains – a viewpoint also expressed to the International Chamber of Commerce in the Netherlands. Brink offers some very wise pointers to practice and adopt as our own.

Eelco de Groot recounts his experience of Social Impact Assessment (SIA) and Mediation. SIA reflects inter-

national best practice to prevent conflicts by the spatial integration of complex projects, he tells us. It uses different elements of multi-tiered dispute resolution mechanisms in order to avoid, minimise or compensate negative adverse impacts to a globally accepted standard. Also, he observes that Business to Community mediation is not yet a formal option in the SIA process but foresees that it has much to offer. Could this be a new frontier offering, as yet, untapped potential for mediators?

And finally, I share a personal perspective on *Aviators Grounded by COVID-19 (But Mediators Are Ready to Fly)*. It echoes the timeless wisdom of world-renowned master mediator, Ken Cloke, which I had the good fortune to receive at first hand. It also reveals my trusted mediator 'Flight Plan', which never fails to inspire me. I hope it has the same effect on others who are in the process of figuring out new trajectories that may get them safely through these turbulent times.