



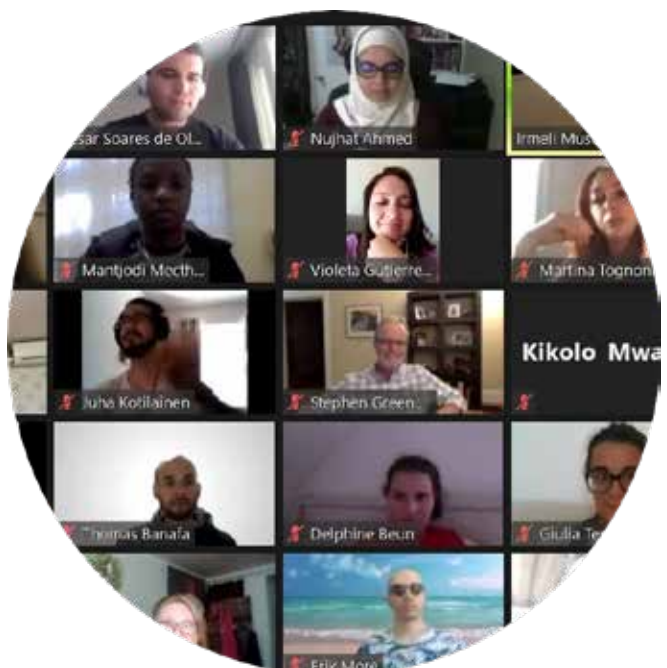
ENVIRONMENTAL COLLABORATION AND CONFLICT RESOLUTION

ONLINE SUMMER COURSE 2020

ECCR summer course (5 ECT)

at the University of Eastern Finland

17-21 August 2020



Cover photo: Emma Luoma



Figure 1: Screenshot, online lecture. Source: Emma Luoma

INTRODUCTION

The international course on *Environmental Collaboration and Conflict Resolution*, hosted by the *University of Eastern Finland* in August 2020, brought together more than 40 participants from over 15 countries all around the globe. The aim of the online course was to further our understanding of environmental conflicts and explore the possibilities of collaboration and conflict mitigation through collaborative governance, mediation, and participatory methods. The course was both academic and practice driven and included practitioners and real-life cases from the field. This year, the themes included natural resource conflicts in the fields of forestry, nature conservation, mining and land use.

The course was led by professors **Irmeli Mustalahti** and **Lasse Peltonen** from the Department of Geographical and Historical Studies, University of Eastern Finland. They were assisted by international teachers **Steve Greenwood** and **Laurel Singer** from the National Policy Consensus Center (NPCC), Portland

University, and **Jonna Kangasoja**, a professional conflict mediator from the consulting company Akordi. Everything was held together by the course coordinator **Emma Luoma** (University of Eastern Finland).

Due to this year's special circumstances and precautionary measures, instead of gathering under the same roof at the university campus, we shared a virtual study environment that was tailored to retain many of the special benefits normally granted by face-to-face interaction. While the participants were learning about the course topic, the organizers were engaging in their own learning experience – how to maximize collaborative learning in the online age?

This question is particularly relevant in the context of collaboration and conflict resolution, which may involve sensitive matters and have been seen traditionally as something that can be exceedingly difficult to carry out remotely. Who knows what the role of virtual mediation will be in the future, but virtual teaching is at least certain to increase.

Course structure and working methods

The course was structured around live online lectures, reading materials and group work. During and after the intense course week, the participants were also asked to write a learning diary where they reflected and commented on what they had picked up and seen during the course. These modes of study aimed to provide the participants with:

- **an understanding** of environmental conflicts
- **skills** to create collaborative management and participatory interventions
- **an understanding** of the theoretical underpinning and perspectives of conflict analysis
- **practice-oriented skills** in assessments and interventions in conflict situations

Due to the international nature of the course and the need to accommodate everyone attending from various time zones, the daily lectures were divided into morning, afternoon and evening sessions. For some participants, this meant waking up early or staying up late to catch the final moments of the “nightcap”, the name for the late evening sessions during which participants reflected on the daily lessons in a group discussion.

In general, interaction between the students was encouraged in these all-inclusive reflection sessions, smaller group discussions and practical exercises, which varied from illustrative “games” to role play aiming to simulate real negotiation situations.

The study week also included a virtual ‘field trip’ where the participants were invited to join different case study groups to analyze real life conflicts around the globe. Each case was presented by a PhD student familiar with the conflict from their own research. At the end of the week, the study groups were asked to present their own analysis of the case using the framework and concepts learned during the course.

All the synchronized sessions were held via Zoom. In addition to online lectures and discussion, the students were assigned to small groups to work on role play exercises etc.

INTRODUCTION TO ENVIRONMENTAL CONFLICTS AND CONFLICT RESOLUTION

We began the course by starting from the basics: what do we mean when we use the word conflict? There are different ways to define **conflicts** and to distinguish them from **disputes** which can be described as shorter episodes that become actualized in specific issues and events. There are often recurring elements in conflict situations, such as perceived incompatibility, interests, interdependence between involved parties, interaction, negotiation, strategic action, judgements, and decisions (Daniels & Walker 2001). There can also be underlying conflicts that manifest themselves in the dispute episodes. Many of us can recognize these lurking in the background from our own experiences as did the students in our group discussions.

Environmental conflicts add an environmental dimension to the conflict in one way or another. For example, these conflicts can be caused by disputes over plans that have an impact on the environment, or there can be fighting over the control of territories and resources. Environmental destruction can be also the consequence of conflicts rooted in different concerns only indirectly related to the environment. Conflicts can be also classified depending on level of violence and on whether they are limited to state borders or spread into others. The UN national resources and conflict guide to mediation practitioners (2015) lists the following dimensions, one or more of which can be present in natural resource conflicts:

- 1) conflict over resource ownership
- 2) conflict over resource access
- 3) conflict over decision making associated with resource management
- 4) conflict over distribution of resource revenues as well as other benefits and burdens

(Natural resources and conflict. A guide to mediation practitioners 2015, UN-DPA & UNEP)



Figure 2: photo by Melissa Askew / Unsplash

Conflict analysis and assessment

After we had learned how different the context of conflicts can be, we studied the basics of conflict analysis and assessment. As Lasse Peltonen explained, analysis and assessment are **the critical first step** before making any attempts at intervention or conflict management. These steps can reveal the elements that constitute the conflict and thus give us a better understanding of its origins, nature, dynamics, and possibilities for resolution.

Conflict assessments can be more academic in their nature or may be used by professional third-party facilitators / mediators as the first entry point in a conflict situation. The assessments can include more specific stakeholder assessments, macro and micro level analysis, or assessment of the intractability of the conflict.

Structures, power, and injustice – theoretical and practical approaches to conflicts

One topic, which stimulated questions throughout the entire course, was the role of existing structures and power in conflicts or in the

processes attempting to intervene in conflicts. Representation and local empowerment are widely recognized key factors in environmental governance and collaborative practices. Responsibilization goes together with a focus on accountability, and seeks to promote and cultivate the managerial and entrepreneurial capabilities of choice-making agents so as to reduce costs for those who are transferring responsibilities (Mustalahti and Agrawal 2020). However, if responsibilities for natural resource governance are transferred (even with good intentions) to the local decision makers without adequately attending to their capabilities, capacities and resources, the consequences can lead to so-called **symbolic violence** – a situation in which powerful actors continue to enjoy unchallenged privileges in accessing resources and power (Bourdieu, 1977; Ohja et al. 2008). This type of **responsibilization** can be a way out of obligations, allowing national level actors to wash their hands while also leading to problems at the local level (Mustalahti et al 2020).

During her lecture, Irmeli Mustalahti emphasized that to address these risks, the participatory processes should be carefully planned by addressing local representativeness (responsiveness & accountability), designing the process according to the objectives, and understanding the levels of participation and modes of communication. Moreover, course participants discussed the roles of various actors in collaborative processes. For example, how the roles of convenor and facilitators are different.

In the context of the above background, it is important to understand the different **levels of participation** and of actors' engagement and collaboration, particularly in public decision making. When looking at such different levels of participation, it is often at this point that many public

Key Roles in Collaborative Processes

- **Parties / stakeholders** -- represent different interests
- **Convenor** -- invites the parties to the table
- **Sponsor** -- covers the costs of the process
- **Facilitator** -- neutral party helps with the process
- **Technical experts** -- provide input on science, technical issues

Figure 3: Key Roles in Collaborative Processes. Source: Lasse Peltonen, 2020

A LADDER OF CITIZEN PARTICIPATION

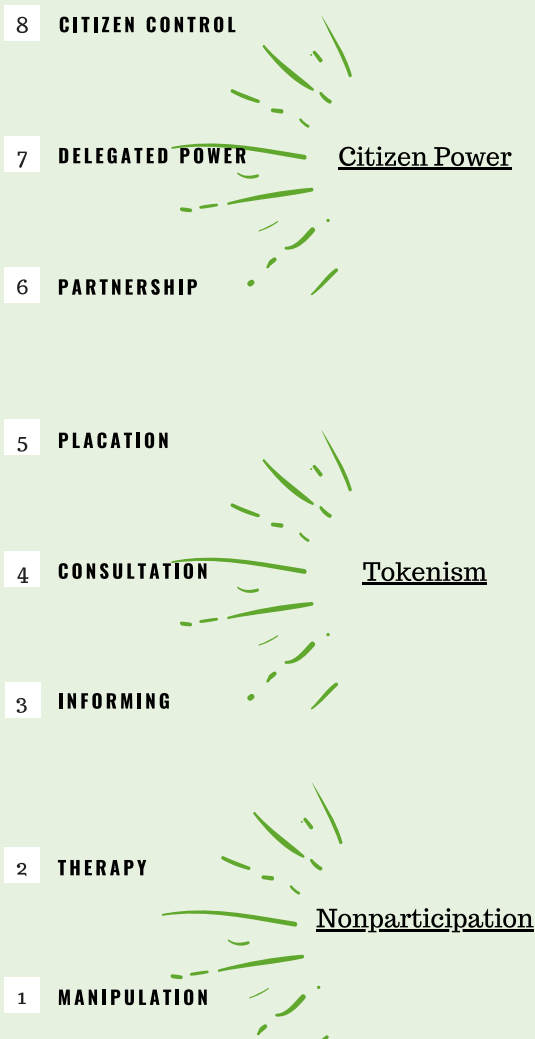


Figure 4: 'A ladder of citizen participation' Source: Arnstein, S. (1969) Journal of the American Institute of Planners 35.4: 216–224

authorities notice that their processes mostly seem to focus on the lower end of the spectrum: in practice there is an emphasis on informing and consulting, and only occasionally greater actor engagement. However, for these processes to be truly collaborative or consensus seeking, the participants need to have real power and be able to influence decisions and their implementation.

Consensus building is one specific approach that can be suitable for public policy and planning problems where uncertainty is rampant and where no one has enough power to produce results working on their own. Consensus

building is rooted in negotiation theory and in the practical aspects of conflict resolution and mediation. Consensus in this context does not mean that everybody agrees with everything. Instead these processes aim for social order within which differences can be discussed and addressed and joint action can be taken (Innes 2005). Certain conditions need to be met for a process to be considered a proper consensus building effort. These conditions include:

- 1) inclusion of a full range of stakeholders,
- 2) a meaningful task,
- 3) participants setting up the process (e.g. ground rules, agenda-setting, decision criteria),
- 4) interests are explored and mutually understood,
- 5) relevant information is accessible and fully shared.

INTRODUCTION TO COLLABORATIVE GOVERNANCE

The second and third days, led by our international teachers Laurel Singer and Steve Greenwood from the National Policy Consensus Center at Portland State University, were all about the practice of collaborative governance and how it can be utilized in addressing environmental issues and conflicts. We started this session with a simple group task illustrating the usefulness of collaboration in memorizing patterns of letters. Indeed, collaboration is useful when you need to accomplish something that you cannot pull off on your own. As Steve noted, this exercise shows how much more effective groups can be when they work together, contrary to the old saying “if you want something done right, do it yourself”.

There are many misconceptions about collaboration. Collaboration does not mean just sitting around the same table and arguing about who is right and who is wrong. **The purpose of collaboration** for you is to get a better outcome than you would get without collaboration. In the case of conflict resolution, you are collaborating with someone and trying to figure out what you can agree to. The enabling factor for collaboration is the interdependence of the different parties.

The collaborative relationship also requires a specific type of thinking. With the traditional competitive mindset, you might think that when you win, the other party will have to lose, or vice versa. However, with the **collaborative mindset** you are attempting to grow the “winning pot” together. For you to win, the other has to win as well. This of course is not always easy and may require creative thinking and new solutions to the negotiated issues at hand.

Collaborative governance can be described as an umbrella term for a variety of processes in which multiple sectors are convened to work together to achieve solutions to public problems that go beyond what any sector could achieve on its own. While there are distinct approaches depending on the context where it is used – conflict resolution, collective action, collaborative systems – there are some definitional norms that describe the practice, such as: public purpose, cross boundary, inclusive, representative, shared decision making and power balancing, deliberative, and collaborative platform.

The collaborative governance process framework can be roughly divided into four

steps: 1) *assessment*, 2) *design and organize*, 3) *discovery*, deliberation and decision making, and 4) implementation and adaptation. However, as Laurel noted from her experience, while the process may look linear on paper, many times in practice it moves more like a spiral, where you may return to earlier steps at any point, but slowly you make progress towards the end point.

The framework was illustrated during the course via a real-life case study of Malheur national wildlife refuge in Oregon, USA, where a long-standing conflict between different parties was resolved by utilizing the collaborative governance approach. Laurel explained the concrete steps and actions that had been taken under each step, which helped the course participants to understand how this framework, which looked simple on paper, unfolded in practice.

In the evening session the Oregon federal agency director, a local rancher and a university researcher, all of whom had been involved in the Malheur Refuge process, were invited into a live panel session to discuss how they saw the case from their point of view and what they felt were the most important factors in the success of the

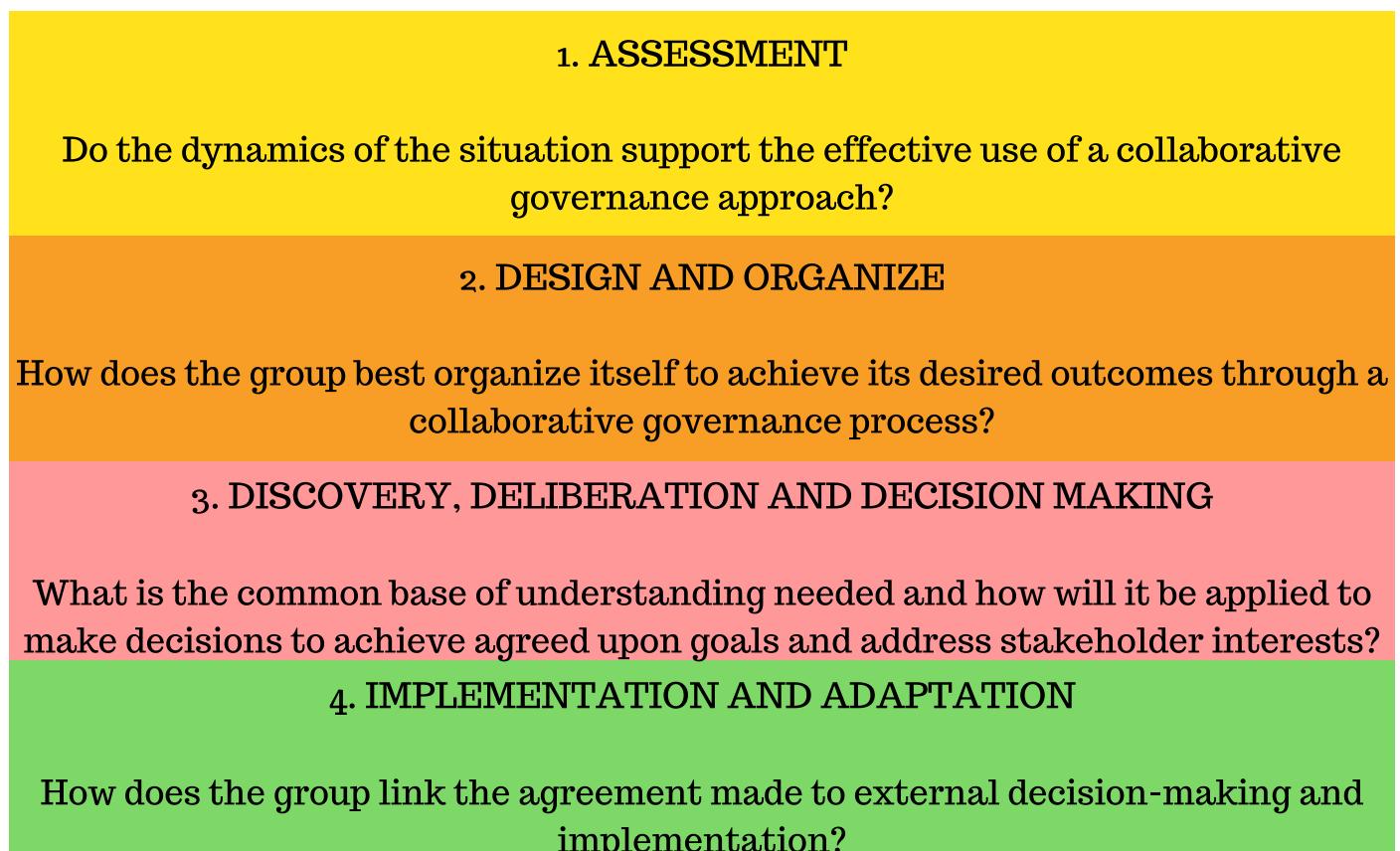


Figure 5: Framework for collaborative governance Source: Laurel Singer, 2020

project. The panelists also answered questions prepared by the students earlier that day, ranging from trust and resilience building to addressing funding and uncertainties of the process.

You can learn more about the Malheur case from this video (8 min) Oregon Consensus & U.S. Fish & Wildlife: [The Collaborative way](#)

WHY AND HOW TO USE COLLABORATIVE GOVERNANCE?

There are always adversaries involved in environmental conflicts. Thus the key question becomes, how do you get the adversaries to switch their thinking from a competitive to a collaborative mindset? As Steve noted in his lecture, this is typically the most difficult challenge for environmental conflict resolution.

For governmental agencies there may be concerns regarding uncertainties and risks related to the proposed collaborative process. They may be worried about the time and effort demanded by collaborative governance. They can be also intimidated by the task at hand. Since all these concerns are legitimate, an important question may be how to convince the reluctant governmental agency that collaborative governance is a good idea. Steve had some responses that may help them to reconsider their position.

Indeed, there are often uncertainties about the outcome of the process, but if it is a consensus process, the agency will also have the **option to say no** to any suggested agreement if they cannot live with it. Consensus processes do not mean that government agencies should give up their legal responsibilities. On the contrary, the purpose of collaborative governance is to make their work easier. If the process works, the agency will have the support of the stakeholders instead of their opposition.

These processes take time and effort, but their flow can be improved with the best available practices. It is also sometimes possible to make more progress in a short period of time on issues that have been “stuck in the mud” for years before that. In that sense, the end goal may be reached faster than with traditional approaches. However, there will probably be a need for some third-party

help from professionals in the field, which can also help to address the worries regarding the difficulty of the task at hand.

It is also good to note that a working collaborative relationship builds **social capital** that will become useful when the next issue comes up that requires solving. Furthermore, such a relationship can save resources at the policy implementation phase, when you do not have to fight with constant complaints or criticism from the stakeholders. In the worst case, such opposition can force the whole thing to be done again. However, it is important that the agency is genuinely committed to the process and does not join in only after your prolonged exhortations.

Best alternative to a negotiated agreement: BATNA

When you have several actors in the process, the level of commitment is usually dependent upon their best alternative to a negotiated agreement (BATNA). The alternatives can be various, from legislation to legal action, but **the best one** for you is your BATNA. You are not likely to accept a negotiated agreement if it is worse than that. Thus, the better your BATNA, the less committed you will be to the collaborative process.

BATNAs can also help to understand the power differentials between the actors. However, people tend to not discuss their BATNA and if they do, they may not be entirely truthful. Finally, people tend to overestimate their BATNA. As Steve concluded, if the collaboration is not going well, there is a good chance that the reason is related to BATNA.

Interests vs. positions

Another key lesson of the day was the difference between positions and interests, and how focusing on the latter can make all the difference in the negotiations. A position, such as “no restrictions on grazing rights”, may limit the available options considerably. However, if the true interest behind this position is for example, to keep grazing economical, this already opens many other options for solutions. Thus, focusing only on the positions will artificially limit the possibilities for finding mutually beneficial solutions. On the contrary, by focusing on underlying interests,

it becomes possible to explore various options where interests can overlap, which is at the heart of collaboration.

Trust

As we had already learned from the Malheur case, trust is one of the key aspects in environmental conflict resolution. Steve noted in his lecture that in a situation where your actions depend upon your belief in someone else's response, trust requires **accepting some vulnerability** in the belief that the other parties will not take advantage of you. Trust works as social capital and lies behind your reactions and those of others in the collaboration. However, an important distinction worth noting is that other people's actions depend upon their belief about how you will react, and on whether or not you can be trusted.

Trust can be divided into two dimensions in this context. There is **dispositional trust**, which is the evaluation of whether you are trustworthy by nature. Then there is **situational trust**, where it does not necessarily matter if you are trustworthy or not, because the circumstances make it more likely that you will follow through with commitments. Thus, situational trust can be constructed through contingencies if there is little

dispositional trust to play with.

The lecture also focused on building a climate of trust. There are many ways by which the parties can help achieve such a climate, such as listening carefully, sharing information and in face-to-face meetings. Low trust and high risks increase the costs of the process, making everything more difficult and making satisfying all interests harder. In Steve's experience, nothing builds trust faster than truly working together to resolve a conflict. The second most effective way is to accomplish something together. Thus, especially in a situation where there is history of distrust, it is better to follow the **principle of incrementalism**. This means starting small and keeping the risks manageable at first while slowly building towards something bigger as the trust grows through these small "victories".

Finally, the students were able to test these lessons in the practical exercise, where they had to take the imaginary roles of family members each with separate interests trying to plan their weekend together. This exercise allowed some creative thinking, and every group came up with quite different solutions in the end.

CONFLICT ANALYSIS STUDY GROUPS – VIRTUAL FIELD TRIP AROUND THE GLOBE

The fourth day of the course was mainly dedicated for group work. However, before we went deeper into the analysis, we first heard from Jonna Kangasoja and her work in the Akordi consulting company. Akordi specializes in environmental collaboration and conflict resolution and is typically invited as a **neutral third party** to help with sensitive collaborative processes. Jonna, the co-founder of the company, explained her work through case examples and key stages of the consensus building process. Jonna's presentation and the discussion that followed gave the participants a glimpse of what a professional conflict mediator's work looks like and how collaborative governance is applied in this work.

In the conflict analysis part of the day, the course participants were tasked to analyze various case studies brought into the course by the assisting PhD students. This "conflict clinic" or "reconstruction clinic" (Forester et al. 2019)



Figure 6: photo by Shane Rounce / Unsplash

method is something that professionals can also apply as a form of interactive conflict analysis.

The goal for the students was 1) to make sense of the conflict they had chosen, and 2) to consider possible actions that could be taken. In practice, this meant interviewing the “informant” of the case, building understanding of the situation, and applying the lessons learned from the course so far. In the evening session and the following morning, we came together and travelled virtually around the globe to Finland, Indonesia, Mexico, Mozambique, Nigeria, Russia and Tanzania.



Figure 7: screencapture, online lecture. Source: Emma Luoma

The groups had a lot of freedom to present the case they had selected, but generally the presentations started with some kind of conflict timeline and identified a list of key events or issues. Furthermore, the groups typically examined power relations, BATNAs and analyzed the relationships between the key stakeholders. Finally, the groups presented ideas for interventions and suggestions for making progress in these cases. Overall, the groups were able to acquire a good grasp of these complex cases in a relatively short time and recognize many of the key issues that needed to be addressed.

FUTURE OF COLLABORATION – WHAT HAVE WE LEARNED?

At the end of the week, it was time to reflect on what we had learned as a group. When the students were asked to describe what concepts the course had highlighted for them, the responses were very heterogenous. There were some examples of specific ideas, such as the importance of listening or the role of

trust in collaborative arrangements, but also lots of aspirations regarding the application of collaborative governance in the participants’ home countries or communities.

Since we had a diverse and global group of participants, we also discussed how well (or badly) collaborative governance can “travel” and how applicable it could be to these quite different kinds of social and institutional contexts around the globe. Many of the participants were at least hopeful regarding collaborative approaches but it was acknowledged that in this relatively new field, we have still lot to learn. We are only now embracing these new contexts, which can be complex, multilayered, and with lot of actors. However, these are the kinds of situations in which collaborative governance has been suggested to thrive in. For example, collaborative governance is in many ways specifically designed to deal with transboundary problems, because no single entity has the responsibility nor the capability to deal with them on its own.

Despite the promises of collaborative governance, it is clear that one will have to think carefully how to apply this approach in cases where there may be no functioning government or rule of law. However, while working with corrupt governments can be a major barrier, it does not, as Steve contemplated, necessarily have to be a deal breaker. Even a deficient government or its agencies can have a high level of interdependencies or BATNAs, which make them lean towards well framed collaboration. Nonetheless, international exchanges of information will be crucial as we try to expand into these new and different contexts. Indeed, publicizing your success stories and using them to raise awareness can be vital lowering the threshold for others to try and follow.



Figure 8: photo by Marita Kavelashvili / Unsplash

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LINKS:

Environmental Collaboration and Conflict Resolution on Future Now? -online event by ALL-YOUTH: <http://tulevaisuusnyt.allyouthstn.fi/>

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[MAKUTANO](#) *Translocal forest owners and environmental collaboration: an action learning process of forest governance transformation in Tanzania is a research project funded by the Develop Academy Programme (2019-2022), which is a programme jointly prepared by the Academy of Finland and the Ministry for Foreign Affairs of Finland. The main objective of the project is to study skills of environmental collaboration and conflict resolution methods among a group of forest owners and local community members in the Southern Highlands, Tanzania, and to trace how these skills are transformed and used in the future actions of these forest owners and the surrounding communities. The research collaboration involves international partners from Tanzania, Kenya, Mexico and Denmark.*

[ALL-YOUTH](#) *Want To Rule Their World is a multidisciplinary research project (2018-2023) which explores the capacities of young people (aged between 16 and 25) and the obstacles that hamper their engagement with society. The main goal of the project is to create possibilities and to enable young people to participate in making their own communities and the society. The research focus is on responsive governance and rule of law, digital innovation and sustainable development interventions, such as the forest-based bioeconomy. ALL-YOUTH is funded by the Strategic Research Council (SRC) coordinated by the Academy of Finland.*

[CORE](#) *Collaborative remedies for fragmented societies is a research project (2017-2021) that builds on the notions of interdependence and collaborative governance as responses to complex societal problems. The project seeks practices for creating fair, efficient and knowledge-based solutions to complex problems concerning the environment and use of natural resources. The focus is on creating models for joint problem-solving in the Finnish context and on supporting the capacities of different actors to use them. CORE is funded by the Strategic Research Council (SRC) at the Academy of Finland.*

[NPCC](#), *National Policy Consensus Center is recognized as one of America's most prolific university-based centers for advancing innovative, collaborative approaches to public policy making and implementation of community-based solutions. In addition to providing direct services, NPCC also provides professional training, academic programs, and research in collaborative governance. NPCC's Oregon Consensus, Oregon Solutions, and training programs advance the use of collaborative governance methods in the State of Oregon on the West Coast of the United States of America and nationally by helping various actors to collaborate to address public policy disputes and implement community-based solutions.*

[Akordi](#), *Akordi acts as a neutral party, or mediator, in public policy and decision-making processes that involve multiple parties, various often conflicting interests, and complex issues. Akordi specializes in environmental and land-use related conflicts and for example, they facilitate interest-based negotiations and engage with actors in solving complex issues with multiple stakeholders. Their areas of expertise include topics such as sustainable consumption of natural resources, participatory urban development and renewable energy production. Akordi's approach is well suited for integrating private and public interests through assisted negotiation.*

