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Intercultural Mediation & Conflict Resolution



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To
Blanche-Philippa

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Foreword

The book at hand--Intercultural Mediation and Conflict Resolution--develops theoretical and practical questions on the subject of mediation in intercultural contexts. On a theoretical level, it undertakes explanations of concepts apropos of culture, conflict, and interculturality. Then aspects of content are explained, that of mediation, and especially, that of intercultural mediation. Concretely, these matters will be elucidated in terms of the example of Western-African interaction or situations of mediation.

The purpose of this book is an approach the complex subject of intercultural mediation, through concrete, "culturally specific" examples. These examples will be developed with the help of an analysis of cultural dimensions. Subsequently, practical indications for mediators will be given, that contribute to the broadening of the reader's own "cultural competence," so that s/he will be able to conduct an adequate mediation of the intercultural conflicts that s/he is to address.

In this book we speak of members of Western and Sub-Saharan cultures. Here we do not mean any national or regional cultures that we might understand fixedly and rigidly. We do not, therefore speak here of "the" Westerns and "the" Africans. Instead, we intend to take our point of departure in tendencies of cultural dimensions and orientations. This means that, when we speak of Western or African cultures or individuals, we understand the persons as being of a particular extraction, and tendential cultural orientations, who embody individual characteristics and are variable. It is in this sense, then, that we speak simply of "Western" or "African" persons.

We have selected the area of Western-African encounters on particular and special grounds. On the one hand, the cultural

dimensions of Southern Africa evince a considerable difference from those of the West. This applies to how the persons in question deal with, among other things, time and space, gender roles, hierarchies, and styles of communication.

Furthermore, no publications on intercultural mediation are as yet to be found, in the literature that would have these cultural centers of gravity and this association. Again, our choice is founded on the culturally specific competencies of the authors and their long years of work in Southern Africa. Finally, one more motive for the publication of this book is to make it available to groups of mediators.

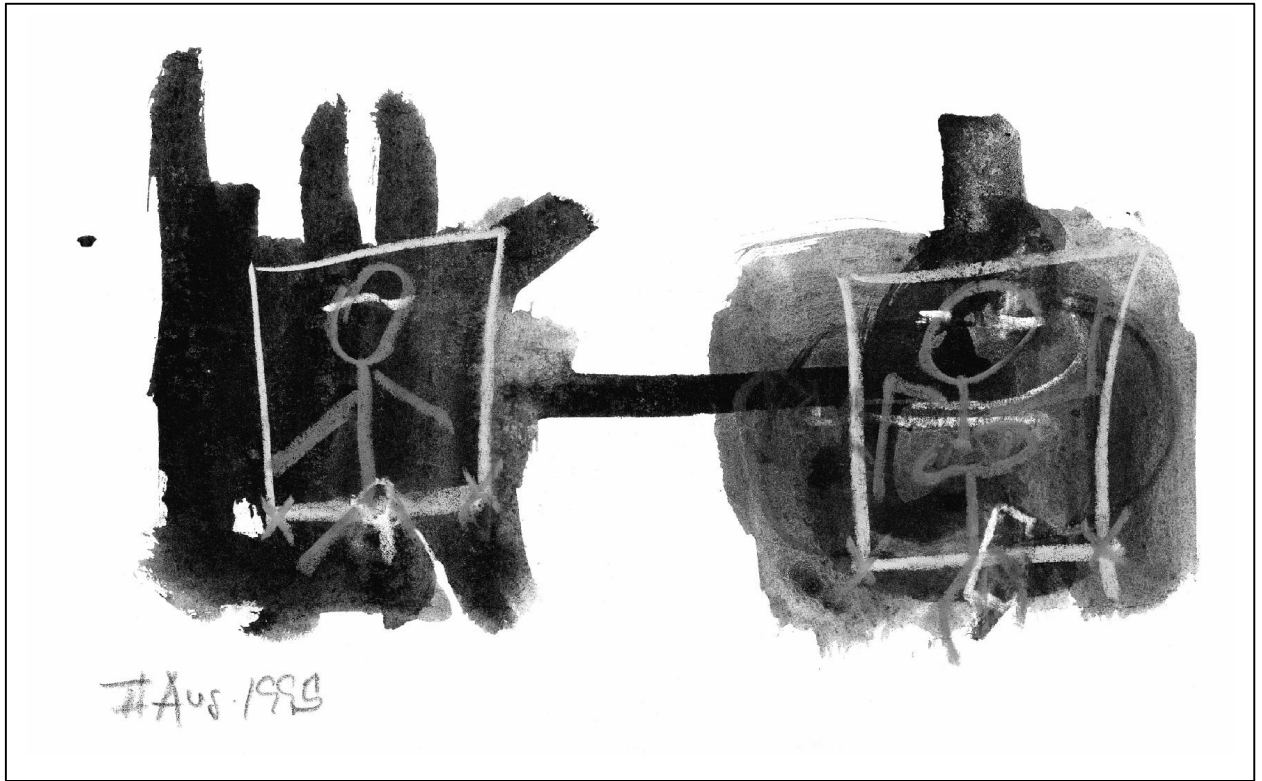
Demonstrably, competency in intercultural mediation can be acquired only when its so frequently described generalities are solidly anchored in a particular cultural region. For us, this is Southern Africa.

With this book, then, we should like to address persons who work in intercultural contexts, such as social pedagogues, social economists, social workers, psychologists, and, obviously, those groups of persons who work in such contexts as experts, managers, and in professional and leadership functions in international and multicultural teams. Likewise, may employees of foreign offices, who have to make political or administrative decisions on the fortunes of Africans, also consider themselves addressed here.

We wish all readers much delight in their studying, new knowledge for their own work, motivation for solving intercultural conflicts, and an enduring interest in the development of their own intercultural personalities, so necessary for the work of intercultural mediation.

The Authors

Dar-Es-Salaam / Cape Town



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1. Introduction

“Mediation,” from the Latin *mediatio*, “division in the middle,” is to be defined as a procedure for the resolution of conflicts through one or more “all-party third persons.” Mediation has been practiced for several millennia, in the most diverse parts of the world. Even a quick trip across the globe shows the size of the historical contributions of mediation the world over.

This manner of intervention on the part of third parties, or mediation, is attested as early as the time of the great Chinese dynasties, in which it played an outstanding role in Chinese philosophy. Probably one of the most solid foundations of this fact is the long-standing tradition of Chinese value-orientations in terms of culture, harmony, consensus, and cooperation for Chinese philosophy, religion, and culture. This thinking finds a special place in the philosophy, and concept of philosophy, of Menzius (Chin., Me-Ti, 371-289 BCE), in which the creation of social harmony leads to a return to the harmony of nature, perceived as existing in full concord with itself. This understanding of philosophy has maintained its consequences for strategies of conflict-resolution down to the present day (Thomas/Schenk 2001).

In ancient Greece, as well, one of the principal cradles of our own cultural sphere, it is reported that, between the two urban centers of the country, Athens and Sparta, envoys repeatedly “ran their errands,” as we might say, coursing back and forth between the two great cities. The role of “transmitter” or “go –between” was usually assumed by well-known personalities of smaller Greek cities, who would bear the words of one party to the other. They did not always “transmit” word for word, however. Instead, when necessary or useful, they “wrapped” them, diplomatically and rhetorically, in somewhat different words, lest the conflict escalate, so that peace would be endangered. This was a kind of political and economic mediation, which, in principle, we still know today.

In our own geographical environment, we likewise know of mediations from the time of the Middle Ages. Here, many priests are summoned to mediate budding conflicts—especially in families. In the framework of the churches, and faith communities, ecclesiastical mediators find fields of endeavor that they can closely link up with their chief calling. In Christian theology, as well as in Christianity as actually lived, Jesus is regarded as the Mediator between God and human beings. The Mother of Jesus Christ, Mary, is seen, in Catholic popular piety, as “Mediatix,” and highly revered. Today, as well, especially in rural communities, priests and pastors are found to be taking on the role of mediator after the exemplar of Jesus Christ. In many countries of the world, even to the present day, it is altogether expected that clergy fulfil the function of mediator in the widest range of occasions.

Since the sixties of the past century, there has been a great deal more mediation in the United States. There it is a procedure developed with definite rules and phases, introduced especially in community work, to resolve conflicts and contentions among neighbours, friends, and acquaintances more quickly, more effectively, and financially less expensively than in court procedures. In the wake of the peace and civil right movements, “Alternative Dispute Resolution,” ADR, is developing, which includes mediation. Beginning with the notion that, in any case, it is the conflicting parties who, in principle, are the best agents of the resolution of their own conflicts, ADR represents the opinion that it is better to solve one’s own conflicts than to hale them before a court.

In the 1980s, the “new wave of mediation” swept across Europe and Germany from the United States. Since then, the number of mediations conducted in everyday affairs has manifested a clear growth. Places for the formation of future mediators are full. Supply and demand are on the increase. In Western courts, where mediators are sought especially in divorce cases, places for appeal to court-like mediation procedures have multiplied.

In Asia, preponderantly in Japan and China, this has not been a matter of novelty for a long time. In both countries, mediators are regularly included in judicial procedures, to arbitrate between conflicting parties for the sake of maintaining harmony. The Asian “cultural circle” or milieu may well be the one today in which the most mediation in the world takes place.

However, we also know of mediation procedures from Southern Africa. Many ethnic groups are returning to traditional African forms of mediation. Here what is usually done is to call a popular or village assembly, in which one person assumes the role of mediator. The process of the mediation runs clearly differently from the Western. Besides, roles and positions are altogether differently defined from our own case. This kind of mediation, into which we enter in detail and ad hoc in chapters 4 and 5 is frequently dubbed “traditional mediation,” or “ethno-mediation. Since these concepts are not used in a particularly value-free manner, and are often seen as “traditional,” by contrast with “modern,: we should prefer to call this form of mediation “old African.”

Just through these few examples, we see what an authenticated procedure mediation is for intervention in situations of conflict, and one that we observe as fundamental in many cultures and countries of the world. Frequently, these procedures were developed independently of one another, in conflicts, and thereby underlie culturally specific bases and characteristics. Therefore it is not in order to adopt a starting point in the notion that mediation “goes the same” in all the different cultures of the world. However, it can be assumed that there are conflicts throughout the world, and in all cultures. The path on which they are dealt with varies, however. Just as varying are the ways and manners in which conflicts show themselves, and how they are perceived and constructed, individually, as well as socially. Conflicts, accordingly, can be observed as a universal feature of our *conditio humana*, and they interconnect all persons. How persons in different cultural contexts express and reveal conflicts, however, and what kind of conflict resolution they prefer, must be considered in their specific cultures. This is undertaken in this book.

In our Western-style everyday understanding of conflicts, they predominantly appear rather negative, problematic, and critical. Human beings scarcely “suffer conflicts gladly,” and even today most Western-style persons still see conflict as a burden, not necessarily as a chance for change. This understanding of conflict is owing, on the one hand, to the intensifying emotions that so often play a role, such as annoyance, anger, sadness, grief, shame, etc., at times all wrapped up in one. On the other hand, a rather negative attitude toward conflicts prevails also in the tradition of Western conflict theory. Only in recent theoretical approaches is conflict seen as something positive, as opportunity for transformation, as the chance for a change, for a positive shaping, and as the occasion of one’s own broadening and personality development.

It is precisely this understanding of conflict that we should like here to lay as a foundation, for it indicates the way, in a new kind and manner, of dealing with conflict within one’s own cultural group, as well as in situations of “cultural overlap” (Dadder 1987)

Now we should like to give readers a brief introduction to intercultural mediation.

It seems reasonable to us first to present the ideas and concepts of conflict, culture, inter-culturality, and intercultural mediation (see chap 2).

Subsequently, mediation as a concept of conflict solution in the Western sense will be elucidated. As a model, then, we shall thus indicate how mediation is taught and practiced today in Germany, along the guidelines of the Federal Union for Mediation, incorporated (see chap 3).

In reference to intercultural mediation, we shall present factors of cultural influence in and on the mediation process. Here the role of the mediator, the role of the conflicting parties, and phases and processes in intercultural mediation will be considered explicitly.. Further aspects, as, for example, emotions, gender roles, power imbalances through cultural influences, culturalization, the formation of stereotypes, and language

will be studied. Finally, we shall take a look at the challenges and opportunities of intercultural mediation (chap. 4).

General statements on interculturality and the intercultural usually tend to mean, “All or nothing.” Alongside this root, autobiographical roots can also become applicable (see Foreword). This will tend to occur when we consider the subject matter of interculturality in conflict and mediation, especially with an eye to Western and Old African concepts of mediation. Examples from the African cultural context can clarify cultural dimensions and factors of influence, as well as demonstrate culturally specific insights, and behavioral manners and attitudes in the area of conflict and conflict resolution (chap. 5).

In the final chapter (chap. 6), opportunities for sensitization and training of mediators are presented, who work in intercultural and especially in African contexts. Here, centers of gravity are specified, on the development of intercultural competency, cultural reflection on self and foreigners, as well as the broadening of consciousness with an eye to cultural schemata, and to interaction with the culturally specific presentation of values.

By way of conclusion, examples will be given of simulations of intercultural mediation, with “roadmap,” role descriptions, and information for mediators. These simulations are practical exercises, to be introduced in culturally heterogeneous, as also homogeneous, groups of mediators, who are in the process of formation and improvement in the area of intercultural mediation. They are useful in achieving a cultural-transcending consciousness and awareness, and they can thereby contribute to a definite elevation of the competencies exercised by mediators when dealing with persons in situations of intercultural conflict.