Inside Track

Mediation's many meanings

The definition of mediation is fairly simple. Here is CCR Associate Chris Moore's definition, which is not unlike ones offered by his colleagues around the world: "Mediation is the intervention into a dispute or negotiation by an acceptable, impartial, and neutral third party who has no authoritative decision-making power to assist disputing parties in voluntarily reaching their own mutually acceptable settlement of issues in dispute" (Moore 1986).

But the interpretation and application of mediation is more complicated. As John Paul Lederach writes (p. 3), "conflict is a socially constructed cultural event"; responses to it, including mediation, must consider this, looking at "the construction of meaning and the role of knowledge" in the intervention.

"Mediation" can mean different things to different people, as the articles in this issue show. Amongst some international practitioners, it masks coercive diplomacy, is confused with advocacy or coupled with enforcement. "Mediation" in Africa has certainly at times exhibited these elements.

Yet the articles in this issue of Track Two reflect an approach to mediation highly different to that generally practised by state and global actors. This mediation favours a non-directive approach; embraces neutrality towards parties but not towards justice; appreciates indigenous knowledge, culture and conflict resolution models; empowers people to solve their own problems; encourages self-knowledge on the part of the mediator; acknowledges different values; emphasises relationship; and often includes a spiritual dimension.

"What is mediation," writes Kenyan peace consultant Bethuel Kiplagat (p. 4), "but a process of restoring broken relationships, between individuals, communities, ethnic groups or nations?" Indeed, if relationships are not dealt with in mediation, then a settlement can be short-lived. Kiplagat draws out "lessons" for mediators from four African scenarios, exploring how tradition can enhance the mediation process.

CCR's Laurie Nathan (p. 8) and Andries Odendaal (p. 11) separately set forth the Centre's approach to mediation - Nathan citing core principles which distinguish CCR's mediation strategies from those of many international actors, and Odendaal assessing the dilemmas mediators face in the South African context. On page 22, Daniel Nina looks "beyond mediation" exploring "mediation in South Africa" often developmentally based in communities working through their own problems. Five South African mediators (p. 32) share their strategic responses to "difficult situations" - the rule rather than the exception in mediation.

A question repeatedly raised in this issue ponders the nature of mediation in Africa - the existence and viability of African models of mediation. Strong arguments are made supporting the incorporation of African traditions, spirit and values in mediation processes, yielding more appropriate and sustainable outcomes. Africa, the writers say, has much to offer the rest of the world. Still, as they observe (Nindorera, p. 18; Muller, p. 31), traditional means of resolving conflict in Africa are not necessarily effective in contemporary settings.

Also running throughout this issue is the theme of values in mediation - those of the parties, the mediator and society-at-large. CCR's round-table discussion on the values we bring to the mediation process, and underlying mediation itself (p. 28), illuminates many of the tensions and challenges mediators face when they lay their values on the table.

So while there is no one approach to mediation, this issue suggests that there is a core of good mediation practice, theory and values - widely violated, many would argue. We hope this issue of Track Two provokes mediators in Africa and elsewhere to take stock of their work, to question their models and assumptions and
to "mediate" in the true sense of the word.

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References