

Mediators' Network Newsletter

Friday, 04 December 2009

As we await the celebration of Christ's coming during this season of Advent, we look back gratefully on a very full year for Bridge Builders. We are especially glad to have made new friends through the mediation skills courses that we have run, and we want to welcome those who have joined the Mediators' Network in recent months.

As members, you receive our quarterly Mediators' Network email newsletter. This seeks to highlight mediation issues, programme updates, book reviews, and opportunities to develop your skills. Let us know if there are issues that you would like us to address, or contributions you would like to offer.

We hope that this newsletter will be a helpful supplement to Mediators' Network days, and a way of exploring issues around conflict in the church. Please give us feedback on what can be most helpful to you.

Blessings in Christ

Charletta Erb
for the Bridge Builders team

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*NOTE FOR NEW MEMBERS – If you are interested in receiving the previous two issues of this email newsletter, reply to this email with a note to request them. The last issue included a feature article on *Transformative Mediation* – a commentary on Bush and Folger's model of transformative mediation.

Christmas Meditation

The Christmas tree is lit, and the scent of oranges and cloves lingers in the air. My favourite Christmas hymn sings in my mind as I enter into this Christmas season.

*O come, O come, Immanuel
And ransom captive Israel
That mourns in lonely exile here
Until the Son of God appear*

I look for the places where the Saviour has come. In the love and hospitality of my surrounding communities. In church leaders discovering resurrection hope in the midst of conflict. In people's generous hearts as they share with the needy.

*Rejoice! Rejoice!
Immanuel shall come to thee, O Israel*

Yet, this pronouncement of Christ incarnate is bizarre as I read the latest news in a world at war. What is next in Fallujah? Why have my fellow Americans re-elected a President who recklessly wages war? How many violent conflicts must Africa endure? When will rulers be called to account for their impunity? Where are you God?

*O come, Desire of nations, bind
All peoples in one heart and mind
Bid envy, strife, and quarrels cease
Fill the whole world with heaven's peace*

I look for the places where the Saviour has come. In radical disciples willing to make peace even in places where it is risky to go. In Israelis working together with Palestinians for peace. In images of forgiveness from South Africa to Yugoslavia to Guatemala.

*Rejoice! Rejoice!
Immanuel shall come to thee, O Israel*

Christ is in us as we live out the change on earth that we know in the reign of God. May Christ's presence fill us now as we wait for peace to become reality while we struggle live out hope despite the present reality.

Lyrics from the Mennonite *Hymnal: A Worship Book*

Programme Updates

Bridge Builders Diary dates

Mediators' Network Days

- 13 January** 2005 at South Parade Baptist Church in **Leeds**, 9:30-4:15
- 27 January** 2005 at the **London** Mennonite Centre, 9:45-4:15
- 3 February** 2005 at St Michael's, Stoke Gifford in **Bristol**, 9:30-4:15
- 7 April 2005** at **Inverkeithing** Baptist Church, Scotland (provisional venue) 9:30-4:15
- 5 May** 2005 at the **London** Mennonite Centre, 9:45-4:15
- 19 May** 2005 in **Durham** (no venue yet), 9:30-4:15
- 7 June (Tuesday)** 2005 at **Coventry** Cathedral, 9:30-4:15
- 8 September** 2005 at the **London** Mennonite Centre, 9:45-4:15
- 15 September** 2005 at **Coventry** Cathedral, 9:30-4:15
- 22 September** 2005 at South Parade Baptist Church in **Leeds**, 9:30-4:15
- 3 November** 2005 at St Michael's, Stoke Gifford in **Bristol**, 9:30-4:15

Forthcoming training courses

- 18-22 April 2005: [Mediation and facilitation skills training](#)**
with Kirsten Zenger at LMC
- 24-27 May 2005: [Family emotional process for church leaders](#)**
with Richard Blackburn at LMC
- 4-8 July 2005: [Congregational conflict consulting](#)**
with Dave Brubaker at LMC

If you would like to book for an event, please contact Charletta Erb bb@menno.org.uk

The Myth of Mediator Neutrality
Commentary by Charletta Erb

In *The Mediation Process*, author Christopher W. Moore describes the concept of mediator neutrality as a relationship between mediator and parties in which the mediator has no interest in a specific outcome for one party or the other. This understanding of mediation worries me. Should a mediator be neutral when one party tramples on the needs of the other? Should a mediator have no influence on the outcome in an unjust relationship? Do we trust that relationships will improve if we just assist people in better communication, even where abusive relationships have been the pattern? With these questions in mind, I believe that there is a need to debunk the myth of mediator neutrality and replace it with a more just concept of mediation.

The concept of mediator neutrality carries the intent of keeping the mediator objective, listening equally to both sides of a conflict. The mediator is not meant to play the role of advocate for either side; neither should the mediator assert his/her own moral values outside of facilitating productive communication between the parties. In this way, the parties are empowered to design their own outcome of any mediation process.

Mediator neutrality as currently defined could be pictured as the pivot on a see saw. Each party in conflict is on one end of the see saw, using his/her weight to tip the balance in his/her favour. The neutral mediator facilitates a process of communication between the parties, negotiating their positions, interests, and needs.

Such neutrality only works out for good when conflicting parties treat each other with equal respect; but it seems to assume that mediation occurs in a vacuum devoid of power. Yet, many conflicting relationships demonstrate a struggle for power, the need for a winner and a loser. And one party may manipulate the other in his/her favour – the individual with greater power over the future of the other party (e.g. clergy, who may often be unaware of the extent of their power, or a key gatekeeper in the congregation), the individual who speaks up the most, and the individual who threatens the other party's safety. "If we do not take sides with the oppressed, then we are, albeit unintentionally, taking sides with the oppressor, because it enables the status quo to be maintained" says Albert Nolan. There is danger when we allow for unfair results by prioritising neutrality, settling in favour of a manipulative party without sufficient intervention.

This is why I believe it is essential to re-conceptualise the values of mediator neutrality. We must maintain a goal of empowerment of both parties to determine their own paths together (or apart). However, the mediator does have a moral obligation to *discern* where there is an imbalance of power, and advocate for the empowerment of both parties.

Rather than being a passive pivot that allows the mediation process to favour the party with the most power, the mediator should be helping to ensure that each side of the see saw, has time in the ascendancy, enabling some counter-balancing of the situation with his/her weight as a facilitator. This is about maintaining safety and *valuing* both sides equally, rather than allowing one party to dominate. When the process is more balanced, the mediator can ideally play a less involved role, supporting the process of constructive communication as it unfolds.

Barbara Tudor works in the victim wing of probation services, applying mediation in the controversial context of domestic violence cases. Given this vulnerable context, Tudor rarely facilitates face-to-face mediation, unless significant time has passed and the parties are confident. Tudor tries to listen with great sensitivity, creating a space to hold the situation in the light, maintaining contact with both parties. Rather than seeing herself as neutral, Tudor sees herself as being impartial, caring and real with both parties, valuing them both equally. She is an advocate of safety for both parties, and empowers the victim to have the ultimate choice. In the majority of cases, the parties do not stay together, but through a fair mediation process, they may find a dignified, empowered, and safe exit from the relationship.

Mediation is meant not only to facilitate communication, but also to help each person to articulate their own needs and perspective - empowerment for both parties, ensuring both voices are heard and taken into account. Balanced mediation should not produce a win-lose outcome, but mutual satisfaction. I believe that a mediator should not be neutral, but s/he should advocate good process with concern for both parties. This is not a matter of taking sides as a neutral bystander; it is a matter of advocating for all sides, being multi-partial, and promoting strength among all those who are party to a conflict.

Resources

Church conflict resolution covenant web resource The *Mennonite Brethren Herald* has posted a covenant of scriptural-based guidelines for facing conflict. It covers principles of Christ's presence, love, listening, truth, humility, gentleness, direct communication, initiative, timing, procedure, forgiveness and responsibility. A useful resource for discussion in churches. <http://old.mbherald.com/39-09/covenant.html> And don't forget the Mennonite Church's resource in this area, *Agreeing and Disagreeing in Love: Commitments for Mennonites in Times of Disagreement*, which can be found on the web at: <http://www.mhsc.ca/index.asp?content=http://www.mhsc.ca/encyclopedia/contents/A41.html> with suggestions on how to use as tool at <http://peace.mennolink.org/agree.html>

Opportunities

Community mediation services regularly seek volunteer mediators. If wish to put your mediation skills to practice, consider volunteering for your local community mediation service. For example, if you are near North London, consider Camden Mediation. They need volunteer mediators help disputing neighbours talk about their difficulties and decide what they want to do about them. For further information, contact Adriana Santos-Dávila, Camden Mediation Services Manager on: 020 7383 0733.

You can find out if there is a project near you from Mediation UK, the national co-ordinating body for community mediation, tel: 0117 904 6661, e-mail: enquiry@mediationuk.org.uk web: <http://www.mediationuk.org.uk/home.asp> or from the Scottish Mediation Network, tel: 0131 556 1221, e-mail: ewan@scottishmediation.org.uk web: <http://www.scottishmediation.org.uk/> .
