
JEFFERSON COUNTY MEDIATION SERVICES
VOLUNTEER COLLOQUIUM MINUTES
May 17, 2011

Volunteers Present: Neila Achter, Lucy Bambrey, Peter Bowes, Marita Forney, Anita Gilbertson, Jim Gurley, David Holland, Lee Ann Huntington, Ed Ladon, Karen Lest, Sherrie May, Caroline McKinnon, Ruth Parsons, Ronnie Rosenbaum, Mindy Taylor

Staff Present: Mark Loye, Julie Carter, Helena Jo Goldstein

I. Welcome:

Mark Loye welcomed everyone to the meeting and asked those present to introduce themselves.

II. Program

- A. Case Status Report: This report shows all open cases. If you have an open case, please remember to keep the office informed about case activity.
- B. Cases Available: Emails are sent regularly to inform volunteers about available cases. Please remember to respond only if you are volunteering for a case. (Hint: change the subject line if you are using the email to correspond about something else!)
- C. Statistics: The case load in 2011 is at or near record pace.

III. Presentation: MasterMind Concepts: Marita Forney

JCMS Mediator Marita Forney made a brief presentation on the concept of MasterMind, developed by Bob Proctor. She will be facilitating a free, eleven week course on achieving your goals through these principles. The course starts on Thursday, June 2, and will be meeting at noon in Westminster. Marita can be contacted for more information at maritaforney@lifesuccessconsultants.com.

IV. Presentation: Cross Cultural Mediation: Ed Ladon

By way of background, Ed explained that he has been doing cross-cultural work for four decades. Most recently, he was part of a six-person team that went to Columbia. The team went under the auspices of Mediators without Borders, which is dedicated to increasing mediator capacity around the world. In this specific area of Columbia, the people have been caught in the fighting between guerilla, paramilitary groups, and the national police. Many people were driven out of their homes, and are just now returning after four to six years of being displaced. This trip was in a sense a return “home” to Ed, who had worked in the region 40 years ago as a Peace Corp volunteer.

What do we mean by “culture?”

Culture is the way things are, a set of beliefs and behaviors passed on from generation to generation. It is learned behavior, not genetic. Culture includes our core thought patterns, which, like icebergs, are mostly out of sight. The timing of world history on our grandparents (who may have lived through the Great Depression or survived the Holocaust) and on us (think 9/11) affects our behavior, our culture. There are a number of ways that people’s cultures can differ.

Being versus Doing

Ed stated that there is a big difference in cultures that place an emphasis on being, as opposed to cultures that emphasize doing. This fact is vastly underappreciated by many of us when we travel abroad, or work with an immigrant community. As mediators, many of us are focused on our own agendas, following our own check lists (ground rules, agreement to mediate, etc.), as opposed to just being with the people gathered at the mediation. Ed is constantly surprised how little time many mediators take at the start of mediation to be with the people, to ask after their families. We are a hyper society, very time pressured (as reflected in the adage, “time is money”), but in many cultures, this haste is considered rude. Ed suggests that taking time in the beginning of mediation to be with the parties first will save you time in the long run.

Aspects of Doing vs. Being

A doing culture is characterized by a belief in: earned status, achievement, individual action, equality, immediate family, self-reliance, independence, individual competition, guilt, focus on the future, class mobility.

A being culture is characterized by a belief in: ascribed status, affiliation, stability, inequality, extended family, relying on others, interdependence, cooperation with others, shame, past or heritage, caste rigidity.

Ritual

It is extremely important to be sensitive to attitudes around rituals. Compare “getting down to business” cultures to “three cups of tea” cultures.

Human Nature

Attitudes towards human nature are an important variable. Some people think people are inherently good, others think we are all sinners. Some people take another’s word as their bond; others at mediation are very interested in having lots of terms and conditions to describe what happens if the other party does not comply with the agreement. Past injuries or hurts can affect this attitude. Family history can create this attitude.

Attitude Towards Nature

Some people/cultures believe nature can be controlled. These tend to be technology-oriented cultures. Other cultures respect nature as something very powerful and irreplaceable. This can be seen in conflicts about mining, for example, where a company might say it will restore the land after mining, while others say once it’s been torn up, it can never be the same.

Attitude About Problem Solving

People who have low incomes are not often encouraged to offer their opinions, or to think that there may be more than one way to do things. But when they walk into mediation, they are suddenly expected to brainstorm multiple possible solutions and to think outside the box. Mediation parties may be coming from a culture where things are not easily modified. Mediation may be frightening because the mediator is asking them to consider how they do things, and right now, not some indefinite time in the future.

Perception of Time

There is a mostly urban concept of time as limited. The doers say time is money, time's a-wasting, don't put off until tomorrow what you can do today. Western cultures typically think of time in a linear fashion- there is a past, a present, and a future. In other cultures, there can be an oral tradition and language that describes everything as "now". Injustices that occurred 400 years ago are talked about as current injuries.

Structure of Social Relationships

Western culture values people being as independent as possible, even as they age. This is reflected in eldercare mediations, when there is a discussion of services that can be used to assist someone with staying in their home. Sometimes people feel ashamed if they need assistance from their grown children. In other cultures, it is an affront to discuss someone other than family caring for an elderly relative. Family being inter-dependent is the accepted norm. Different cultures may allocate decision-making authority to family members not otherwise seen as stakeholders by mediators with a western cultural background. So it may be an important early step in a cross-cultural mediation to determine who has the power to make decisions - it may not be the most directly affected party.

Conclusions

There are many barriers to inter-cultural mediations. Cultures have different interpretations of eye contact, hand gestures, gender roles and time, to name just a few variables. It is easy to offend people. Much can be gained by simply stating at the outset, "I may offend you without realizing it; please teach me by explaining what I have done if that happens. I am here to learn just as you are." But then you have to walk the talk - you must be genuinely open to being corrected. It helps to anticipate encountering surprises, and being willing to be in touch with how you are reacting to the inevitable surprises in this work. While there may not be only one way to do something, some cultures can acknowledge that fact more easily than others.

Generalizations are not stereotypes. Stereotypes are applied without exceptions - to everyone in every situation. Generalizations are a place to start, a first guess, and should be discarded when no longer useful or proven inaccurate. In a sense, every mediation is a multi-cultural mediation. The goal is not to sympathize or agree with the culturally-based

positions of parties, but to have realistic empathy for the role culture is playing in their thinking.

Mark Loye thanked everyone who attended for participating in the discussion.

IV. Next Colloquium: Tuesday September 20, 2011, 6:00 – 8:00 p.m. in the Open Space Hearing Room (Ponderosa Room). The topic will be announced closer to the date. Suggestions for Colloquium topics are always welcome!

The meeting was adjourned.

Submitted by: *Helena Jo Goldstein*
Helena Jo Goldstein, Programs Manager

Approved by: *Mark Loye*
Mark Loye, Director