

Staying Culturally Sensitive in Mediation

The beginning of the 21st Century will no doubt be remembered as the age of dramatic and rapid globalization. While numerous cultures coming together in the marketplace and beyond can be seen as a benefit to all, there are, no doubt, various complications that arise from cultural differences.

One such complication is the resolution of disputes between individuals of divergent backgrounds. In order to find workable and sustainable solutions to these disputes, today's mediators must define and employ culturally sensitive courses of action.

The Case for Cross-Cultural Frameworks in Modern Mediation

Up to this point, Western mediators have been working in a sort of ethnocentric vacuum, creating solutions that appeal to their own sensibilities. For example, most resolutions proposed by Western-minded mediators are those which are agreeable to both parties involved in the conflict. In other words, Western culture dictates violent disagreement as an outcome to avoid. For many cultures, though, violent conflict is seen as an honorable way to settle disputes. In fact, in many cultures, violence and conflict are considered the sole means of lasting resolution.

Therefore it is critical for cross-cultural mediators to recognize that a "perfect outcome" may be one that in *their* mind and *their* culture is not the most desirable. Efforts must be made then to update criteria as to what makes a good mediator with an emphasis toward abstract thinking and cultural adaptation. Without these updates, it is unlikely that lasting solutions will be achieved in the new global landscape.

Collectivism vs Individualism

One of the biggest disconnects in globalized conflict resolution stems from an inherent value-based societal structure: mainly valuing the individual versus the group. Western cultures place much value on the rights of the individual. This is individualist thinking which espouses that personal needs and rights are the societies' primary concerns. Collectivism, on the other hand, places more value on the interests of the group and less on personal goals and preferences.

Where the clash of collectivism and individualism is very apparent is in the formal mediation itself. A Western framework requires that all “parties” to the dispute be present. However in collectivistic cultures the term “parties” is up for debate. Often in these cultures people who are not directly related to the dispute are the ones present for the mediation. While the actual individual involved may not be. In the West, this is seen as a lack of investment by the individual in question, but in other cultures it is the pressure from the group that brings about the most change.

Seeking a Palatable Outcome in the New Age

In seeking resolutions, Western mediators consider signed agreements as the ultimate end goal. These agreements are seen as legal and binding documents. However, some cultures place far lesser value on signed contracts. They simply view the agreement as social proof that a relationship exists, but do not consider it to be binding in any way.

Every culture has deep-rooted beliefs that stretch far back. These beliefs add to the complexity of a global shift in conflict resolution. Instead of attempting to bring about change by imposing cultural ideas of what are and aren't appropriate solutions, modern mediators must recognize and encourage culturally-appropriate resolutions.