
Kluwer Mediation Blog

Risk and reconciliation

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This blog entry will take a more personal tone than have earlier ones - though it's in the nature of blogs and the more informal style that they have all said something of the experience of the writers. I want to explore here the role of mediation in providing the opportunity for reconciliation, and to see reconciliation as something wider than the more obviously conflict-saturated settings, such as post-Apartheid South Africa, post-conflict Rwanda, and so on. While I'll start with a more dramatic setting, I do wonder whether there's an element of reconciliation - or rapprochement - in many 'normal' mediations: a movement towards each other, by the parties, fostered by the setting, the conversation, and the opportunity that allows for whatever kind of settlement may result.

The personal touch to this, however, doesn't begin in any mediation. Rather, as I returned to Singapore a couple of weeks ago, I watched the movie *The Railway Man*, based on the book of the same name by Eric Lomax, starring Colin Firth (as Lomax), Nicole Kidman (as Patty Wallace, his wife) and Jeremy Irvine (as the young Lomax). You'll see, if you look up reviews online, that the film gets only middling reviews, in part as it's seen as a "safe" treatment of an horrific topic: the treatment of prisoners of war on the infamous Burma-Thai Railway.

I had my own doubts about watching the film for personal reasons: my late father was one of the prisoners on that Burma-Thai Railway, having been captured at the fall of Singapore in February 1942, and after a few months in Changi Prison, transported by truck through peninsula Malaya to a series of camps on the railway. [My mother was evacuated from Singapore the day before the fall, bombed and shipwrecked in the Riau Archipelago, and later taken to Sumatra where she spent the war in various POW camps.] My reservations were twofold: it would either be too searing and too close to watch (and I'm all too conscious of the close proximity of fellow travellers in the economy section of the plane); or it would be an anodyne treatment of a topic that deserved more. For the reviewers who found it a "safe" treatment of the topic, I do wonder what level of brutality they'd have preferred to see on the screen. There is, I suspect, no way that a movie can adequately convey the reality of that experience.

And that, in large part, is the underlying theme of the film and the dilemma which underpinned the dynamic of reconciliation: Lomax - the author and the character - is

simply unable to articulate to his wife (married some years after the war) or even to his old chums in the Club, what happened in the POW camps. The reality of that experience, as I can say from my own father's post-war years, is that for most men there was simply no way to explain to others what happened on the railway. As one of the others who shared the POW camp experience with Lomax explains to his wife, they kept their silence as no-one at home would believe that another human could act with such cruelty.

The reconciliation point is this: Lomax learns through one of his fellow ex-POWs that the person responsible for his torment is still alive and leading tours of the infamous railway - the Bridge on the River Kwai. In brief, Lomax finds this former camp guard. I'll not go into detail as to what transpired - see the movie! But this did lead me to think about the fact that Lomax was able to face his demons - and his former tormentor - and through that, they both arrived at a point of reconciliation. Whether reviewers liked it or not, what also provided the possibility of reconciliation was the camp guard (Nagase, played by Hiroyuki Sanada) realising for himself, though both Lomax and his own exploration of the war graves, the horror of what was done; and this also provides for a moment of reconciliation and forgiveness (but not forgetting). That reconciliation allowed both parties to move on in their relationships and in their own lives.

For our more everyday world of mediation, I take from this the idea that mediation (or, indeed, the kind of civic conversation that John Sturrock is fostering for post-referendum Scotland, whichever way the vote goes) needs to provide the opportunity for at least:

- **risk**: the possibility that the parties will embark on a difficult transaction, that there will be distance and history and - quite possibly - resentment and fear between them;
- **recognition**: as Bush and Folger suggested some 20 years ago in their book, *The Promise of Mediation*, one of the things that mediation can offer that other dispute processes cannot, or at least not as well, is the opportunity for mutual recognition;
- **respect**: this is likely to be in short supply where parties have a history of conflict, a lack of reliable information, and no confidence in reliable commitments or responses; and
- **reconciliation**: the possibility of movement towards a redefined relationship ... not necessarily the same relationship as before (indeed, that may be exactly what is to be avoided) but at least a movement towards something other than what kept them apart.

In thinking about this, I'm also influenced by the extensive work Ron Kraybill has done on reconciliation [see, for example, <http://www.colorado.edu/conflict/transform/kraybill.htm>; http://old.riverhouseeepress.com/index.php?option=com_myblog&show=essays-on-reconciliation-anger-and-conflict-by-ron-kraybill.html&Itemid=9&lang=en]

In terms of process, the risk element is important in another way, and this is where the mediator and context become particularly important: the movement towards reconciliation and the redefinition of the relationship is only possible when one of the parties, having made an internal commitment to change, and having done so with the confidence acquired through the kind of capacity building that being in mediation can

offer, takes the RISK of changing something in the relationship and the communication – in effect, changing the history that has been carried into the mediation room.

Again, thinking about mediation at large, what I take from this too is that mediation provides an **opportunity** that many other processes cannot; and – while it clearly wasn't mediation – what Lomax and Nagase, had was the opportunity to take the risk of changing their perception of each other. I do know – to finish on a personal note – that my father never had an opportunity to address his memories and so, in the end, hardly ever spoke of those years, for the same reasons that Lomax and his friends also could not.

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