
Kluwer Mediation Blog

Mediation in the Theatre: No Thanks

Greg Bond (Bond & Bond Mediation / University of Wildau) · Sunday, August 12th, 2018

(This post is being republished because of technical problems when it was first published).

Thanks to Martin Svatos, for pointing out in his [recent blog](#) a number of cases where mediators or would-be mediators feature in popular films. That set me thinking ...

A few years ago, I offered a workshop on mediation based on the plays and stories of German Romantic writer Heinrich von Kleist. Some readers might have heard of his novella *Michael Kohlhaas*, in which the title character's dispute over two badly treated horses escalates when he is unable to gain legal remedy. He takes justice into his own hands, in a crazy spree of looting, burning and killing, and is finally brought to justice. He is given the satisfaction of compensation for the mistreatment of his horses, but sentenced to death for his own crimes. It is compelling reading.

Kleist led a very troubled life, and committed suicide at the age of 34, shooting first a female companion and then himself in a rather theatrical setting by the side of a lake to the south of Berlin. His plays are full of strife, bloodshed, and savagery, and so some years ago when I was invited to give a talk on the occasion of a big Kleist anniversary, I thought I would be clever and do a workshop on how the gruesome endings might be avoided – if the characters would be able to identify their interests by, say, Act II, and then look for common ground and creative options. It could all be over by the end of Act III. If the mediator were good enough, that is.

In the workshop, I presented interests-based negotiation, and asked participants to be mediators for Kleist's obsessive characters. It all went down very well.

On the one hand, wouldn't it be a good thing to have less aggression, violence, and arbitrary fighting in popular story-telling – in particular the contemporary film industry, where violence has got so terribly out of hand? I literally cannot stomach it. Wouldn't it be good to have mediators settling disputes and conflicts in the media? To have fewer adversarial plots, and plots that are less adversarial? To see people listening to and accepting each other in the stories we consume? To have role models for the young? Of course that would be good. Very good.

On the other hand, the world of story-telling requires the spice of conflict. I am thinking here particularly of theatre. There are two classic genres, tragedy and comedy, and in both of them there is no plot without conflict. The big difference is that one ends well, the other badly. I know only very few great mediator figures in the history of Western theatre (I do not know enough about other cultures to say). Perhaps Lessing's Nathan the Wise would be a good example, or

Shakespeare's Prospero in *The Tempest*. Although the latter is not a mediator as such, as he has too many interests of his own at stake, he is a fine example of a conciliatory attempt to strike a balance between warring factions.

There are nine corpses at the end of Shakespeare's *Hamlet*, ten in *King Lear*, eight in *Macbeth*, six in *Romeo and Juliet*. All of these deaths could most certainly have been avoided. With the help of timely intervention, before matters escalated beyond reprieve. If only Hamlet and the court of Denmark had had a mediator in Polonius, instead of such an intrigue-monger; if only a clever soothsayer had been able to persuade Lear and his daughters that their BATNAs were much less attractive than coming to a principled mutual agreement on the family inheritance. What if there had been some decent peace mediation before Macbeth and Lady Macbeth embarked on their chosen and ill-fated path to the throne of Scotland? And some timely disclosure in a safe environment – perhaps beginning in caucus – followed by thorough transformative cross-cultural family mediation for the Houses of Capulet and Montague?

Oh dearie me. If only Shakespeare had known just a little bit about mediation, then he would not have made so many big mistakes. It did not have to end that way.

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