Every now and again something happens to leave me to pause and think - or rather reflect. Recently, I had that experience of a real novel coming to the heart of Scotland, near a lovely country house called Edzell Castle.

Edzell Castle, built by the earls of Mar, was the residence of Mary Queen of Scots and her son, King James VI of Scotland. It became the castle of Lord Edzell in 1589, and is now a ruin of the former royal residence. It is said that Lord Edzell “loved to sit in the sun and make music” and is sometimes associated with the famous song of “Edzell Castle”, sung by a series of various poets, displayed on the castle walls, which perhaps the famous Castle Wall, the Seven Liberal Arts and the Seven Planetary Deities.

I’m not sure I have ever really considered here before now but it was the virtues and the arts which got me thinking. I have the planning grid for sometime now. To what extent might these ideas from centuries ago still be relevant to our work as mediators?

The Cardinal Virtues are said to be the opposites of the seven deadly sins and include Faith, Hope, Justice, Charity, Prudence, Fortitude and Temperance.

I suggested that representing me is pretty similar to what we do as mediators. For many in difficult matters, helps have become, or appear to be, happens. It is not so easy to want what we offer with the hope that those in seemingly intractable disputes can see the millions of others who have sometimes achieved a satisfactory resolution using mediation.

Justice is interesting. One of my favourite writers, the theologian Richard Miller, writes that “when we think of justice, we are thinking of a balance. If the scale tips too much on one side of wrong, justice is needed to shift things right., the definition justice is based on what we like, what we are forced, and what we deserve.” Miller’s definition of justice is often referred to, as in the famous saying, “the will of God, as it can be known.”

Rhetoric has always interested me. In a previous career, I was responsible for introducing advocacy skills training at the Scottish Bar. Much of what we focussed on was effective communication or “creating an event when we think of rhetoric”, with the rider that it may often appear to lack sincerity or to exploit figures of speech.

It would be interesting to explore the other virtues but this is a blog, not an essay. Prudence and Fortitude seem useful to a mediator. As for Temperance…..

Returning to the garden walls at Edzell Castle, the liberal arts subjects recognised at the time included Grammar, Rhetoric, Dialectics, Arithmetic, Music, Astronomy and Deity.

Dialectics has also been referred to as Logic, which is a helpful as the liberal arts has always carried rather unclear to me. The name of dialectics means “the art of investigating or discussing the truth or opinion”, or “a discussion and reasoning by dialectic” and seems to be associated with what we know in the face-to-face, instead of a dialogue in which two apparently conflicting things are true at the same time. Dialectical thinking refers to “the ability to view issues from multiple perspectives and to arrive at the most economical and reasonable account of the evidence. It is about critical thinking and discerning what we believe and why we believe it.” Dialectics may be relevant to us as mediators.

Mediation has always interested me in a previous career. I was responsible for introducing advocacy skills training at the Scottish Bar. Much of what we focussed on was effective communication or “creating an event when we think of rhetoric”, with the rider that it may often appear to lack sincerity or to exploit figures of speech and other techniques. As mediators, we are engaged in rhetoric – or more likely, observe others doing so. Perhaps, as mediators, we are more interested in the “art of rhetoric” or advocacy of the mediation day itself. Can we do more? Can we achieve?

Again, there isn’t space to explore the other virtues to say this. How often have we mediators learnt that a lack of an art form or discipline has been the easy way of avoiding a dispute. Just letting the numbers and calculations down on paper or onto the flip chart can give a whole new perspective – and often show that the differences between the parties is less than parties imagine. And Rhetoric is surely more akin to the ebb and flow of a good piece of music than to the precision of Geometry, although that precision has its place. In the minds of the audience in order to persuade.

Prudence has also been referred to as Logic. John Sturrock

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