

# Kluwer Mediation Blog

## Ancient Wisdom for Modern Mediators

Charlie Irvine (University of Strathclyde) · Wednesday, October 15th, 2014



On emerging from a rather taxing meeting a phrase popped into my mind which has done so regularly since I started mediating. It runs “*a soft answer turns away wrath*” and it is to be found in the biblical book of Proverbs. It will resonate with anyone faced with hostility: anger can be contained by refusing to respond in kind. It’s a commonplace for mediators to stay calm and steady while the temperature rises and discover that afterwards, when the dust has settled, the person who was angry has not only calmed down but is both apologetic and grateful. It struck me that, if this ancient wisdom tradition could so eloquently convey a universal truth, it may have more to offer.

### The Wisdom Tradition

The book of Proverbs belongs to the Jewish wisdom tradition. It is a collection of sayings probably dating from somewhere between 800 and 400 BC, although many have their roots in earlier traditions.

Some observations about wisdom:

? wisdom is universal, a code of right thinking or natural law that applies to all situations – two of the collections of sayings are attributed to foreign wise men

? wisdom ran counter to the hierarchical structure of the monarchy, where authority was derived from status – in this tradition authority depends on being wise, or adhering to the code of wisdom

? wisdom is personified as female (see <http://biologos.org/blog/genesis-creation-and-ancient-interpreters-part-ii> )

? wisdom is a peacemaking tradition, in keeping with the Jewish concept of “shalom”, where peace is not merely the absence of conflict but has to be actively pursued using justice and fairness

? wisdom can be learned – see Proverbs 4:7 “*Get wisdom and whatever you get, get insight*”

(One proviso: these proverbs were written at a time when men occupied almost all positions of power and did all of the writing. Frequent reference is made to “the King” and most proverbs, except those describing domestic virtues, refer to males. Rather than mis-translate them to accord with contemporary sensibilities, it may be helpful to put a kind of mental bracket around the ancient phrasing, and when a term like “a man” is used, just substitute, “a person”.)

### Some proverbs:

12.16 “*The vexation of a fool is known at once, but the prudent man ignores an insult.*”

19.11 “*Good sense makes a man slow to anger, and it is his glory to overlook an offence.*”

A version of these could respectably enhance an Agreement to Mediate! A slow fuse is a helpful asset in negotiating over difficult, emotive issues, particularly if you want to bring other people with you.

18.17 “*He who states his case first seems right, until the other comes and examines him.*”

Don’t be swayed by an eloquent opening gambit. More profoundly, there’s something about the experience of hearing both sides of conflict that affects the intervener. First one side seems right, then the other. After a while I realised it wasn’t that I believed neither; I believed both. The capacity to tolerate ambiguity and even downright contradiction seems one of the key qualities of the mediator. If we believe neither, we approach people’s lives from a position of judgment and criticism. If we believe both, we empathically enter their worlds and join them in the puzzle to reconcile their incompatible accounts.

21.2 “*Every way of a man is right in his own eyes.*”

Eventually I developed a motto: ‘everybody’s story makes sense to them’. This proverb beat me to it. Here’s a fundamental insight into the nature of conflict and difference. Both sides believe their position to be right, true, honest, justifiable and self evident. If those in conflict start to glimpse the logic of the other’s perspective, or even better to perceive alternative, non-malign, motives for their actions, we are often on the road to resolution.

20.5 “*The purpose in a man’s mind is like deep water, but a man of understanding will draw it out.*”

The “man of understanding” or wise person is recognised as having a special skill, even 2500 years ago. As inheritors of the wisdom tradition, mediators do something similar, eloquently characterised by Baruch Bush as “*impartially hear, and impartially report to the parties, many*

*crucial parts of their own dialogue that they themselves may not have grasped fully or even heard because of their closeness to the situation*” (RAB Bush, 1989, cited in S Roberts and M Palmer, *Dispute Processes: ADR and the Primary Form of Decision-Making*. Cambridge: Cambridge University Press, 2006, p.200).

17.13 *“If a man returns evil for good, evil will not depart from his house.”*

16.8 *“Better is a little with righteousness than great revenues with injustice.”*

There’s a thread of fairness and equity running through the book of Proverbs. The notion that we will be penalised for bad deeds seems outdated and yet simultaneously deeply attractive. Mediators certainly need to be aware that the urge for fairness and justice is as important to our clients as economic rationality. Robert Mnookin and Lee Ross list it as a form of bias, claiming: *“Our observation here is simply that the explicit pursuit of fairness or proportionality may itself pose a barrier to dispute resolution”* (Mnookin and Ross, ‘Introduction’ in Arrow et al, *Barriers to Conflict Resolution*. available from <https://www.law.stanford.edu/sites/default/files/child-page/370999/doc/slspublic/Barriers%20Intro.pdf>)

15.1 *“A soft answer turns away wrath, but a harsh word stirs up anger.”*

As stated above, these sayings legitimise a peacemaking approach. This ancient wisdom also conveys poetically the more modern idea: *“it’s not what you say, it’s how you say it”* (see <http://www.psychologytoday.com/blog/science-and-sensibility/201311/it-s-not-what-you-say-it-s-how-you-say-it> ). How often do we see perfectly reasonable ideas conveyed in a grudging tone, perhaps with a hint of hostility? The inevitable rejection is triggered by the style, not the content. The smart negotiator keeps her or his harshness under wraps.

11.17 *“A man who is kind benefits himself, but a cruel man hurts himself.”*

One of the mediator’s abiding emotions is a sense of frustration because people are locked into a conflict which hurts them both. If only we could help them unlock it, they would both be happier. We know, because we witness it, that conflict robs us of our natural generosity, at great personal cost.

15.17 *“Better is a dinner of herbs where love is than a fatted ox and hatred with it.”*

17.1 *“Better is a dry morsel with quiet than a house full of feasting with strife.”*

In other words good relationships are of a higher value than physical comforts. Or to put it in reverse: animosity, dislike and all the factors associated with high interpersonal conflict can poison even the best of things.

16.24 *“Pleasant words are like a honeycomb, sweetness to the soul and health to the body.”*

This foreshadows our modern understanding of psychosomatic illness, and the idea that a positive attitude can have physical benefits.

17.15 *“The beginning of strife is like letting out water, so quit before the quarrel breaks out.”*

The importance of prevention rather than cure in conflict resolution.

18.13 *“If one gives answer before he hears, it is his folly and shame.”*

Listen before speaking. Most of our clients appreciate being asked, politely, to pause and listen before butting in. It may not be their first instinct but they recognise that we are protecting them from the “folly and shame” of opening mouth before engaging brain.

I end on a cautionary note: *“Do you see a man who is wise in his own eyes? There is more hope for*

*a fool than for him.” And more to the point: “Pressing milk produces curds, pressing the nose produces blood, and pressing anger produces strife.”*

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The graphic features a black background with white text and a circular icon. The icon depicts a group of five stylized human figures, with a magnifying glass positioned over the central figure. The circle is composed of four colored segments: blue, green, red, and white.

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