
Kluwer Mediation Blog

Reflections on Peace

Joel Lee (National University of Singapore, Faculty of Law) · Sunday, December 14th, 2014

I recently watched a Sainsbury advertisement on YouTube that made me reflect on peace. Readers can view this video at [Christmas Truce video](#). It's under 4mins. You might wish to do that before reading on.

Now that you have watched the video (or not), let me make two preliminary points.

First, no. I am not promoting Sainsbury. Neither I nor the Kluwer Mediation Blog nor its editors receive any kind of benefit from talking about this advertisement. Just saying. And Sainsbury has come under fire from various quarters for capitalizing on the sacrifices made in World War 1 for commercial purposes. I don't think this is fair. Yes, at some level Sainsbury's purpose in making this advertisement is for the purpose of increasing sales. That doesn't mean that this commercial purpose is its only intent or its primary intent. Further, I believe that there is meaning and significance to this advertisement that has value in and of itself.

Secondly, the events upon which this advertisement is based did happen. This is important to say because in today's Internet age, it is difficult to determine whether what one sees or reads or the Internet is true. Readers can refer to [Christmas Truce](#) for background information on the Christmas Truce during World War 1.

Having made these points, what has this to do with mediation? At one level, nothing. This advertisement and the event it depicts involve no overt mediation. It was a terrible time when many lives were lost, all cut down in their prime. Yet in that terrible time of conflict, in the trenches, these soldiers created a slice of peace.

I believe there are four factors in the Christmas Truce that may give some insight into mediation.

First, and this almost seems silly to say, parties are in conflict. Perhaps not as much as the nations in World War 1 but can certainly be felt as, if not more, strongly by the parties. For any kind of peace to occur, circumstances must either exist or be created for that to happen. In World War 1, the circumstances were that it was Christmas and the soldiers were tired and homesick. There was a longing for something different, something better. In mediation, we sometimes have to play a significant part in creating these circumstances. Whether it is through our reaching out to conflicting parties to bring to their attention the possibility of resolving their conflict in an amicable way or to make the arrangements such that parties can come to mediation without losing face or seeming to be the weaker party.

Secondly, there must occur in the minds of the parties the possibility of something different. In World War 1, I would suggest that it was the singing of “Silent Night”. Who knows who started it? It could have been the Germans or it could have been the English. But I believe it was a pivotal point to the Christmas Truce eventuating. Imagine if you were in the trenches, surrounded by the reality of injury and death and knowing that you might well be next. And in the depths of that despair, you hear the singing of a familiar tune, albeit in a different language. Imagine the cognitive dissonance you would have felt as it took you some time to shift frames in your mind from the feelings associated with war to the feelings associated with that tune. In that moment, it was the realization that something is different and certain possibilities had opened up. Perhaps it would be overstating it but hope became possible. In mediation, parties are probably obsessing about the conflict and paying attention to the negative interactions and feelings that are associated with that conflict. They have lost focus on the big picture, past good relationships, possible future working relationships and any good qualities their counterpart has. As mediators, part of what we do is to give parties hope. To shake them out of their present mindset and to open their minds to the possibility of something different. This could be done by congratulating them on coming to mediation or letting know what the settlement rates of mediation are or sharing a story of a difficult conflict resolved or setting frames about mediation or what is expected from parties. It is important that parties realize that it’s not just more of the same but that something better and different is possible here.

Thirdly, some risk taking must occur. In World War 1, the Christmas Truce may never had happened if a handful of brave soldiers didn’t take the risk to lift their heads out of the trenches and climb out. And to be fair, it was a big risk. Some got shot at for their trouble. But by taking the first step, it sent a clear message to the other side that something was different and movement was possible. This led to reciprocal acts which then made the Christmas Truce possible. In mediation, parties are hesitant to take the first step whether to go to mediation or to share information and feelings. As mediators, we play an important role in making parties feel comfortable enough to take that first step. Whether it is through creating the circumstances or opening the minds of the parties to the possibility of resolution or through rebuilding a working relationship between the parties, the idea is making it safe enough for parties to take that first step out of the trenches.

Finally, it is important to focus on the commonality. In World War 1, once the soldiers from both armies met, their bonds were deepened by engaging in common activities and behaviors that they would have engaged in in peace time. This emphasized that apart from the fact that their respective nations were at war, there was more similarity between the soldiers than differences. In mediation, we try to achieve the same thing by establishing a mutualizing frame or identifying common interests or crafting a common goal. This commonality can then be built on to further agreement and resolution.

Of course, the analogy between the Christmas Truce and mediation is neither exact or complete. For one, mediators have a lot more tools and skills to help parties resolve their differences. For another, the slice of peace that was the Christmas Truce did not last. The war marched on regardless and many more lives were lost before sanity prevailed.

However, the Christmas Truce has been described as a “symbolic moment of peace and humanity amidst one of the most violent events of human history”. I would add to this that beneath the lines drawn by our nations, our race, our religions and our dogma, we are more similar than we are different and that we should allow our commonality to transcend our differences.

Perhaps something worth reflecting upon this Christmas season.


To make sure you do not miss out on regular updates from the Kluwer Mediation Blog, please [subscribe here](#).


Profile Navigator and Relationship Indicator

Includes 7,300+ profiles of arbitrators, expert witnesses, counsels & 13,500+ relationships to uncover potential conflicts of interest.

Learn how **Kluwer Arbitration** can support you.

Learn more about the newly-updated *Profile Navigator and Relationship Indicator*



 Wolters Kluwer

The graphic features a black background with white text and a circular icon. The icon depicts a magnifying glass over a group of stylized human figures, representing a search or investigation process. The text is arranged in a clean, modern layout with a horizontal line above the main heading.

This entry was posted on Sunday, December 14th, 2014 at 12:01 am and is filed under [General](#). You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. You can skip to the end and leave a response. Pinging is currently not allowed.