

Kluwer Mediation Blog

Mediation Jokes & Self-mockery

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In November 2009, John Kenyon published a blog entry titled “[Mediation Jokes](#)” with the first sentence saying, “There is much discussion on whether or not mediation is a profession yet one of the defining marks of a profession is when you can tell jokes about its practitioners.”

With the passage of time, the practice of mediation has been popular and is well received in many jurisdictions. Upon the signing of the [United Nations Convention on International Settlement Agreements Resulting from Mediation](#) in August 2019 and its subsequent entry into force in September 2020, the use of mediation as a means to resolve disputes is quite established worldwide and few would question whether mediation is a profession.

While mediation trainers seldom cover the skill of “joke-cracking” (contrast “story-telling”) in a standard 40-hour mediation training course, mediation students do from time to time ask questions about the appropriateness of telling jokes during mediation with a view to breaking the ice among the parties and their lawyers. As the standard answer of “it depends” is obviously unhelpful, I usually go one step further by sharing with them that since the parties are in dispute, any jokes directing to them or their lawyers could be risky because the joke-telling mediator would probably be perceived as not being neutral or unprofessional. Jokes about politics and religions are equally dangerous as a mediator may not know the parties’ political and religious affiliations sufficiently well at the early stage of the mediation. If jokes are to be uttered, the rule of self-mockery, which is basically being humorous by making fun of oneself, must be followed strictly. By way of illustration, on one occasion, the parties felt sorry for me after several difficult days of tough and emotional mediation sessions. I replied with a smile, “No worries. I did not study hard at the law school and also did not work hard during my early days of my legal practice. That’s why I end up as a mediator.” Since there were no other mediators in the room, I made fun of myself and made them feel good by ridiculing myself. The said joke would be entirely inappropriate if it is told at a dinner table among mediators.

Although I do not play pranks on 1 April, I would like to make use of this blog entry to share some of my pocket mediation jokes. You are welcome to tell me the ones that you like the most or those that you would keep in your mediation tool box. It is obvious that not all of them can be used in the mediation room as some are reserved for fellow practitioners. You may use them in an appropriate context with no worries about copyright issues on my part (see “[A Mediator’s Prayer](#)”). Enjoy!

1. There is one thing that a mediator will never assist to negotiate: the mediator’s fee.
2. What is the difference between a dustman and a mediator? A dustman has to throw shit away but

- a mediator has to take it.
3. The earnest mentee mediator wants to know the secret of success in mediation preparation. The answer from the celebrity mediator is: get a good mentee mediator to do all the preparation.
 4. What are the biggest challenges in mediation? Getting the job and getting paid.
 5. Why even mediators can hardly salvage their own marriages? They never talk about their work to their spouses and ask too many “Why” questions.
 6. It’s a dispute between a cat and a mouse. The mediator refused to mediate online despite Covid-19. Why? Because the cat could in fact be a [Texas lawyer](#).
 7. While the mediator was explaining the life attitude concepts of “half-full” and “half-empty” by pointing to the glass of water on the conference table, the grumpy party interjected and complained that the coffee was still not served.
 8. Why AI mediators are not popular? The parties and the lawyers need someone real in the room to bully.
 9. Why can’t the two best family mediators reach a settlement of their own divorce? Because all the mediators engaged are inferior.
 10. A mediator survived in a plane crash and he landed in a huge jungle. The lion king guaranteed the mediator food, fresh water and protection so long as disputes among the animals could be resolved amicably. The whole jungle had enjoyed peace for quite a while until the mediator met Jane & Tarzan.
 11. Upon demise, a successful mediator was at the doorsteps of Heaven but the access was denied. The mediator was frustrated and grumbled to Saint Peter, who is the keeper of the “keys to the kingdom”, “I had been resolving conflicts and making peace throughout my life. Why my access to Heaven is refused? It’s so unfair.” Saint Peter gave a sly grin and said “Down the corridor, turn left and you’ll see the mediation office. Make an appointment to mediate before you lodge a formal complaint.”
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 13. Young Solomon, who’s yet to complete his 40-hour mediation training, was called upon urgently to mediate a dispute between two women claiming to be the mother of a child. Result? The mediation failed and Solomon was charged with attempted murder.
 14. Despite the great skills and wonderful efforts of the most experienced mediator in the world, the two twin brothers still refuse to meet face-to-face at a joint session. Who are they? “Mr Right EAR” and “Mr Left EAR”.
 15. It’s a dispute between two animals and the National Geographic over the alleged promise of taking a coloured photograph. No mediators have the guts to take on the job. Why? The claimants were panda and zebra.
 16. Had the Duke of Venice sent the parties to attempt mediation, would the “Merchant of Venice” have had a different ending? No, because the Shylock would probably refuse to pay his share of the mediator’s fee upfront.
 17. Why retired judges like to be mediators? They get paid without having to judge.
 18. Co-mediation is preferred in probate disputes because one mediator may mediate among the surviving beneficiaries with the other helping out to mediate between the spirits of the dead and the human beings.

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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 background is accented with horizontal lines in blue and green.

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