

Calming Fear:

A Cross-Cultural exploration of our role as peace-makers in helping to calm fears during cross-cultural mediations

Introduction to working Cross-culturally

My name is Sarah Blake. When my Dad was adopted as Alfred Dharmarrundji's brother – I was given the Yolngu name of Widingal Dharmarrandji, my moiety is Dhuwa and I am a part of the Djambarrpuyngu Clan. My name is Brenda Muthamuluwuy. I am a local Yolngu woman. My clan group is Gupapuyngu and my moiety is Yirritja. I come from Galiwin'ku, Elcho Island. We are both mediators who work in the cross-cultural space and we would like to share our story with you.

We would like to acknowledge and pay our respects to the Traditional Owners of the land we stand on – to their Elders past and present. We value the rich contribution which they bring to our nation through the strength of law, culture, spirit and land. We would specially like to thank Aunty Joy – and thank her for joining us today.

Before we go too much further we would like to explain a couple of words that you will hear throughout the presentation – Yolngu and Balanda. For those of you who haven't heard these words before – they are words from the Indigenous people in North East Arnhem Land. Here, they refer to themselves as Yolngu (and also refer to other Indigenous Australian people as Yolngu) and non-Indigenous people as Balanda.

This presentation is part of our ongoing study that began as part of our Phase Two work within the Mawul Rom Project. In 2004 we, and a number of others here, commenced the Mawul Rom Project – a four year training program in cross-cultural mediation and leadership. We are proud to have graduated in July 2009 with 10 other participants both Yolngu and Balanda.

The Board of Mawul Rom approved this presentation for the 2008 National Mediation Conference however we were unable to proceed at that time. Following re-negotiation with the Board and Elders, we have been given authority to share this information with you. We are grateful to them and a number of sponsors who have enabled this presentation to occur here at LEADR's 10th International ADR Conference Kongress – they include LEADR and the NT Department of Education & Training.

This presentation is purposefully written in a manner that respects both cultures. It is not long and academic, rather it is refined in a way that will allow it to be translated and shared with our Yolngu family and friends so that they also benefit from our presentation.

We have previously given this presentation as part of our Mawul Rom Assessment to an audience of Yolngu and Balanda at Elcho Island in July. This was done sitting beneath the Rippiipi Tree at Dhudupu on Elcho Island NE Arnhem Land. This space enabled us to cross-culturally explore the topic in depth and we learnt much through the contributions from the group. Whilst the environment is different - we hope that we will continue to learn as we explore the topic with you.

The 'Fear' Story

In 2007 we began a conversation about cross-cultural mediation and discovered that we both wanted to explore 'fear' and how we as mediators and peace makers might be able to help calm that fear. During this time the 'Intervention' was starting in the NT and there was a lot of fear within communities. This fear was spreading like fire and we wanted to know how we might be able to help calm that fear.

We recognised that fear is a part of all of our lives and the way we deal with these fears influences the decisions we make every day.

There are many different names for fear. Some fear is important – a survival instinct and warning (beware of the shark or snake), but other fear can be destructive like poison. It can get in your blood and eat away at your soul; it can spread like an illness impacting you, those around you or even your whole community. Fear can be very powerful!

There are many names that Yolngu use to describe different fears. For example Barrari/u-joygupuyun translates as frightened or nervous about confronting something that is impacting others – confronting the other person.

As mediators we step into the conflict space – a space where fear can be very strong. Fear may be real or imagined – it may be fear of powerlessness, a fear of losing rights or a fear of the unknown. All of which are legitimate – as they all impact on people in different ways. As cross-cultural mediator and peacemakers we must apply significant discipline and commitment to our words, actions and process. It is hard work and requires us to have a heightened awareness of the potential impact of fear.

Fear during negotiations creates a barrier – a barrier to dialogue. It can inhibit dialogue and good decision making and can get in the way of opportunities. An example of this is the relationship between Police and suspected youth offenders. Sometime the youth can be really scared – they can't talk and the police find this really frustrating. Both parties may be unable to communicate about what happened because of fear.

Many different things can trigger a fear response, these may include; words, feelings, actions and the environment. We need to be alert to and acknowledge the importance of these responses and create the space for parties to calm their own fear. This may simply be a naming of the fear; other times actions may be required (and may include ending the mediation). As cross-cultural mediators, we want to help people calm their fears by acting as a bridge. While we cannot make the decision for people, we try to help create space for hope.

However, we cannot help others if we don't understand how we calm our own fears.

In discovering that we both share similar fears, we were able to identify that to calm these fears we both need to have confidence and trust in the foundations we have as individuals and as mediators. These foundations provide us with the confidence to move through fears.

Foundations are more than the skills and knowledge we hold as mediators. These foundations can include: law, values and/or process. We need to look inside ourselves – discover what our foundations are so that they become strong. These foundations are our backbone - if they are strong we are able to draw on them to help calm our fears and the fears of others.

To calm fears we often need to seek the support of the right people. These are people who have the right authority or who demonstrate the calm confident qualities of a peace-maker. During times of conflict these people could include police, military, Elders, peace-makers or mediators. These are the people that walk in the grey-space between peace and conflict – the people who have the ability to help others reach a place of calm and peace.

An example is the role that the Elders can play at Galiwin'ku to help the police and young offenders resolve conflict and/or crime. These Elders help to calm the fears of the youth and help the police to communicate and resolve issues in a way that respects and empowers law and culture (both ways).

Through our discussions with each other and Elders from our communities, we discovered that many peace-makers facilitate a similar process to help calm fears. A diagram of this process is provided below (figure A).

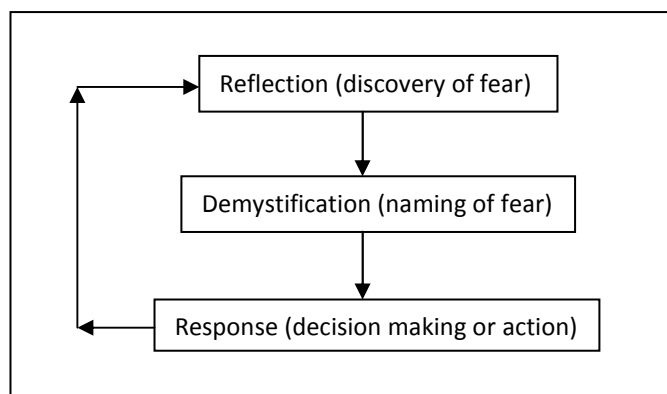


Figure A: Process of calming fear

A peace-maker or mediator can create the space which allows parties to explore and name fears. Often when we discover the right name of the fear the power is taken out of it – a process of demystification. Once the fear is named we can generate options that allow us and/or parties to take action or respond. However it takes great courage and discipline to engage in this process – it is not easy, fear is very powerful. It is therefore critical that each party takes self responsibility for calming their own fears – otherwise outcomes are not sustainable and are weak.

We believe that it is important to examine the role of fear in cross-cultural mediations prior to the mediation, during and after. Fear is an inhibitor and can impact us as mediators as much as it can parties to a dispute. When working cross-culturally, we fear doing 'it' wrong – doing it wrong leads to failure. We must be courageous enough to explore fear – our own and that of our clients.

This requires significant investment in pre-mediation – exploring and negotiating a process that responds to the cross-cultural needs of all parties (Indigenous and non-Indigenous) and listening for and exploring potential fears. We must negotiate each time we engage in cross-cultural dialogue - negotiating with parties and establishing the right people, negotiating issues of power and authority, negotiating about process and content. As mediators we must maintain discipline and apply the process (diagram A) whenever we discover that fear may be impacting on negotiations – ask the right question.

Within this process, we as peace makers and mediators can draw on the strength from our foundations to create a calm space for negotiation and decision making. For Yolngu this strength comes from the law at garma, dhuni or ngarra levels. These levels of law are roughly translated as public, semi-restricted and restricted levels of law. This is very important and complex information – and we introduce you to this knowledge so that you can begin to understand the complexities of working across cultures. You will not always be entitled to deeper level of knowledge – and must respect these restrictions. For balanda this strength may come from their law, value and confidence in process. For each of us as cross-cultural mediators we must share a common trust in each other's skills, knowledge and capacity.

We think it is essential to have these difficult and often complex conversations about the tools that each culture brings to help calm fears. Through mutually valuing the skills, knowledge (capacity) and foundations that each person brings to conflict negotiations, we are better able to create and facilitate a process that is mutually respectful and meaningful for all involved. Fear is a powerful emotion – but so too is hope. As cross-cultural mediators we strive to create a space for decision making – bringing the calm waters so that hope can emerge.

Thank you.

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Resources:

- www.mawul.com
- 'Why Warriors Lay Down and Die', Richard Trudgen – see www.ards.com.au
- www.aiatsis.gov.au – see language map
- NT Legal Aid Commission – Yolngu Law Video: contact www.ntlac.nt.gov.au