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Spirituality, beliefs and ADR

The spirit of alternative dispute resolution

Hilary Byrne-Armstrong

'ADR is an ally of the spirit in everyday life. A practitioner's job is to pull down to earth the abstract ideologies that people use to justify their fights and to challenge the social stereotypes that isolate them ...'

Maybe we should speak up ... for what is deeply felt and might otherwise go unrecorded: all those unique and repeatable events, the little sacraments of daily existence.¹

Early Christian teachings berated human friendship as taking people away from their real task: their relationship with God. Thus grief for a lost friend became God's punishment for human attachments, the earthly body something to be sacrificed and punished, and our purpose for living being to attain a place in the heavenly hereafter. These ideas place spirituality metaphorically in the heavens, transcending the everyday. While it is true that since the Enlightenment we have moved from a culture in which religious beliefs are replaced by scientific beliefs, the transcendent metaphor is alive and well. It is now found in abstract scientific theories and simplistic explanations about human life. These also transcend the experience of the everyday.

Does the spiritual transcend the everyday? Buddhism says that before spiritual enlightenment we chop wood and carry water ... and after enlightenment we chop wood and carry water. Perhaps this statement is asking people to open themselves and notice the spirit in the mundane — those myriad little events that make up our lives and loves (and work as ADR practitioners). The 'ah-ha' moment, when the hitherto unseen is seen; the spirit of resilience that holds one's hand and steadies one in the ballgame of words thrown back and forward in an endless rally of accusations; the spirit of compassion that enters the room in the nick of time to help one over a moment of disbelief, injustice or outrage; the spirit of forgiveness that is always hovering in the wings waiting patiently to be welcomed;

the sparkling moment when the tension is relieved.

What I am suggesting is a notion of the spiritual not as simply belonging to the heavens, or even to some deep well inside people. I am suggesting that the spirit is present in the 'sacraments of daily existence' — the events and connections of everyday life that are hidden in the abstractions and ideologies that are given such importance. In becoming aware of the everyday something else enters — an 'other history' as David Malouf calls it, another dimension, an awareness of the permeability of our skins, our membership of the planet and its beauties, our communal life, and our survival as dependant on one another.

ADR is an ally of the spirit in everyday life. A practitioner's job is to pull down to earth the abstract ideologies that people use to justify their fights and to challenge the social stereotypes that isolate them, the legal practices that entrench the argument culture, and the models that promote the idea that 'one size fits all'. To do its job ADR must subvert these things, uncovering the myriad small inconsequential events that led to the conflict, the feelings that cemented it, the loyalties at its roots and social forms that shape it, because we know that it is in this 'other history' that reconnecting is possible.

One example of this was a mediation I did many years ago that has stayed with me as a teaching for this idea. I was asked to help a young man and his mother who were engaged in an unresolvable and much worked over conflict. He identified as a gay man. His mother was a fundamentalist Christian and her identity was closely interwoven with her church community and had been for more than 30 years. She believed, following the ➤



➤ teaching of her church, that any sexual identity other than heterosexual was a travesty and a sin in the light of the teachings of the Bible. Mother and son had been close all his life, but in later years, with the revelation of the young man's sexual preference, conflict and separation was imminent.

The present situation had been triggered by the approach of the woman's 70th birthday party. She had announced that she wanted no contact with her son's partner and that the partner was not welcome in her house. Her son had had enough. He decided to take a stand and announced that if that was the case, neither of them would come to the house again and he would cease all contact with the family. This had caused much grief and an ongoing saga of accusation and counter-accusation. Finally, the young man decided to try mediating the impasse.

He ushered his mother into the room and, after the mediator's preliminaries, talked about his sexual preference, his love for his partner, his pain about not seeing his family and the political position he felt forced to take against entrenched homophobia. The first thing that his mother did was to tell me strongly what her beliefs were. She justified them with quotations from the Bible and articles from a newspaper. She had obviously thought about and prepared her case thoroughly. She finished by looking at her son and pronouncing him a sinner who would burn in hell if he did not change his ways. Her son was extremely distressed at this and began crying openly. The silence was deafening and the impasse defeating, the debate stuck in seemingly insurmountable ideological posturing.

Momentarily the power of this familiar 'stuck debate' on sexual preference trapped me. Then something popped into my head. I remembered noticing the ways they conducted themselves when they entered the room. They had come together in his car, seemed companionable, and the son helped his mother down the stairs and into a chair, even finding her written 'proof' of his sins when she mislaid them. Some part of me had registered that this did not look like two people in a major

conflict. I asked them about the history of their relationship. They seemed relieved and talked in terms of their closeness and love, looking fondly at each other and recalling family stories, including one they had shared with others in the family, including the son's partner.

I was surprised. I expressed it cautiously. I did not want to chase this bit of information away. I said, 'I thought you had no contact with ... (the partner)?' She said, 'I have to when I go in and help them two days a week in the business'.

I was even more curious. I had assumed that there was little contact between them. 'So you go and work with them two days a week?' 'Yes', she said, 'both my husband and I go and we also sometimes take dinner and eat it together.'

Privately, I was astonished. This seemed to contradict many other things I had heard. They did not think it surprising at all; they thought it was part of being a family.

'After all we are family,' she said, 'I go to their place, they do not come to mine'.

I asked the son how they managed the relationship on these two days. His mother answered and said it was a little difficult but OK. They both agreed that they all managed it well.

'Could these "management" strategies be helpful in another area of your life?'

Our work together then became not one of mediating the different points of view to reach a compromise (impossible in this situation), but one of 'singing up' the already existing ways that these two used to 'manage' their interaction in spite of their conflict. By not engaging in the argument of the two ideological positions, another spirit emerged — the spirit of their love and commitment to each other and the family. This provided them with a basis to re-connect, agree to disagree on some things and hold on to their love for each other, and keep their family life intact.

Some would question the ethics of this position. On one hand some would say the mother is homophobic, and perpetrating injustice. I could be seen as complicit in this. Others would say that she had a right to her beliefs, as did the son to his choice of life, and I must support this. Still others would agree with her ➤

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➤ position. What I learnt was that the knowledge that constituted these ideological positions was an abstraction and actually concealed their everyday relationship. The ideologies had taken over, become hegemonic (that is, given all the air time) and had left no room for the other knowledge(s) that these two people and their family had about living and loving.

The position I am speaking from is one that sidesteps abstractions about life, recognising that trying to find a solution through abstract posturing rarely leads to anything but dissatisfied compromises and the risk of World War III. Rights, justice, choice and truth were the words used by these two to talk about their relationship. My part was to realise that the concepts these words represented were abstractions, and not entirely representative of their relationship. Furthermore, the barrage of conflicting ideologies silenced those other more timid and less socially accepted knowledge(s): love, family connections and respect for each other that were also present; the son's arm as he helped his mother into a chair and helped her find 'proof' about him; her stories of their antics when he was a boy; the glances that went between them as they talked; and the changing atmosphere in the room during the different stages of the session.

Ideologies are formed from beliefs. Beliefs are truth stories whether they are spiritual beliefs, political beliefs or scientific beliefs. Their presence needs to be acknowledged as they give rise to ideologies that shape and inform life, giving people guidelines about living together. Knowing and honouring people's different beliefs and ideologies is important. However, they also blind us. The map becomes the territory. People become cut off from the everyday, more intent on proving their position as right or wrong and, when they do this, the ethic of sharing the planet — which to me is the heart of spirituality as well as politics — is erased.

In other words, in the story above, other beliefs were also present; ones that created a space in their relationship for recognition of each 'other', beliefs that produced a sparkling moment of relationship as they looked at my reaction of disbelief (when they told me they worked together two days a week), and that created a counter narrative to the dominant beliefs which were tearing them apart.

This to me is the territory of spirituality:

the movements of the heart and intimations of the close but inexpressible grandeur and terror of things, that is our other history, the one that goes on in a quiet way under the noise and chatter of events and is a major part of what happens each day in the life of the planet, and has from the very beginning. To find words for that; to make glow with significance what is usually unseen, and unspoken: that when it occurs is what binds us all, since it immediately speaks out of the centre of each of us; giving shape to what we have experienced and did not till then have words for, though as soon as they are spoken, we know them as our own.²

This, too, is the spirit of ADR. ●

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Endnotes

1. Malouf D *The Great World* Chaltto and Windus London 1990.
2. Malouf above note 1.