

OCTOBER NEWSLETTER

The History of Mediation



Despite what some may think, mediation is not a new practice of conflict resolution. In fact, there is question of whether ancient societies such as the Greeks and Sumerians practiced conflict resolution similarly or even the same as we do today.

One of these examples in ancient society is Sumer, an early Mesopotamian civilization. Back then, the mashkim (the king or overseer) would weigh the merits of every case before it went to court, as well as assist parties to resolve disagreements by themselves. This practice can still be seen in many cultures in which "elders" are the valued and respected authority within the community.

Mediation in the United States dates back to the mid-1800s, when President Martin Van Buren facilitated the settlement of a shipyard labor strike. Community mediation became popular in the 1960s and was used in disputes relating to civil rights, labor, and various community issues. Dispute resolution centers proliferated throughout the United States in the sixties, seventies, and eighties. In 1987, both Florida and Texas passed statutes requiring court-ordered mediation in some types of cases, and community mediation centers continued to grow in number.

In 1990, two federal laws, the Civil Justice Reform Act (CJRA) and the Administrative Dispute Resolution Act (ADRA), enshrined mediation as a nationwide practice. The 1990s also saw an increased awareness and debate over different styles of mediation. Today, mediation continues to grow in popularity, mediation centers handle a variety of case types, and mediation classes in colleges are becoming more numerous.

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