

COLLAB ORATE
Peacemakers #9
Martial Listening

Lawyers, long-inured to litigation, criticize peacemaking. They say that the weapons of peacemakers are, well, puny. What is empathy when compared to contempt proceedings? What is deflecting a dispute toward joint problem-solving when measured by the criminal indictment? How does confidence in the possibility of peace stack up to a summons and complaint? What might curiosity unearth that a hundred pages of interrogatories fails to expose? War lawyers munch coercion for breakfast. They salt their raw meats with assertion and pepper with threats. Worst for the litigator, peacemakers whine. Litigators spit them out. They are a stench in the nostrils. Peacemakers harp, like ill-parented children: the wasteful expense of litigation, the emotional carnage, the futility. The inured litigator knows martial values: discipline, equanimity, and the mettle of humans under stress. Mamby-pamby well-wishing serves none. Take up the sword, so litigators counsel. Litigators nod at Athens's negotiation with Melos.

During the Peloponnesian War (431-404 B.C.), Thucydides reports that Athens opened a dialogue with the people of the small Aegean island of Melos. Melos had been settled by Athens's mainland opponent, Sparta. The Melians retained loose ties to their mother city. Melos chose neutrality in the Greek civil war, as is wise for tiny persons ill-situated between sparring giants. Thirty ships from Athens dropped anchor at Melos, brimming with troops. The Athenian delegation flatly demanded immediate surrender. The Melians argued that Athens abandons justice, which should concern all peoples. Melos neither sides with Sparta nor presents any threat to Athens. The Athenians countered that the strong do as they wish and the weak as they must. Melos replied that history is long; today's victors become tomorrow's vanquished. Athens will one day wish people valued justice. Athens thanked Melos for its concern, but enjoined Melos to look to its own well-being. Athens noted that its empire comprises many small principalities; failure to compel one today invites all to rebellion tomorrow. Melos suggested that Sparta might defend Melos. The Athenians laughed; Sparta is corrupt. Whatever Spartans enjoy, they deem just. Athens restated its offer to Melos: surrender, pay tribute, and live. Melos, after due deliberation, declined, reiterating its neutrality. Athens besieged Melos, killed all fighting men, and enslaved the women and children. Athenian immigrants repopulated Melos. Athens ultimately lost the Peloponnesian War. Sparta installed a puppet government over proud Athens, which paranoid sycophants eventually executed Socrates (399 B.C.) for his seditious corruption of youths.

I listen to litigators. I see litigators wince at peacemaker happy-talk. The litigators are right; peacemakers should spit out their Kool-Aid. Peacemakers need to let the unbridled ugliness that some disputants sow seep into consciousness. All parties are not misunderstood, unheard puppies. Some are wolves, best muzzled. Remember the Melians. I hear litigators tout the martial values of courtroom conflict. Courtrooms burst the thin-walled ego of puffers. Litigation inculcates sterner stuff: hardiness, vigor, discipline, honor, calm in the face of extremity, occasional dignity, dramatic action in response to dire predicaments. I agree with my litigator friends. Most peacemakers are wedded to a culture of indulgence that has spawned hippie anarchists and funny religions and mumbo-jumbo optimism. Peacemakers must set aside the heady hope for peace long enough to smell the latrines.

To my litigator friends, I say: Peacemakers have swords. Peacemaker swords are "weapons of mass construction." Ears are one such weapon. Ears can be militant. A peacemaker listening is a soldier on patrol, armed, action-ready. The martial listener confutes the definition of battle that fixates the parties. The listener asks and seizes answers, exploring responses with incisive curiosity. The listener presses stories without accusing. The listener paraphrases to confirm comprehension, mirrors to build rapport, and takes a guess when parties seem stuck. The martial listener moves beyond receiving communication accurately. Peacemaking listeners drive talk toward solutions. Listeners agree where they agree, emphasize missed commonalities, and disagree without disrespect. Peacemakers know disputants quietly long for restored community. Like soldiers at arms, peacemakers seize that prized turf for clients.

Perhaps in peacemaking lie values even a litigator might adopt, were she listening with martial intensity.

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