

MEDIATION IN A FEUDING SOCIETY:
AN ANTHROPOLOGICAL APPROACH TO THE PROCESS OF
SASMOS IN CONTEMPORARY CRETE

CHRISTIAN-RADU CHEREJI¹ AND
ARIS TSANTIROPOULOS²

On the Greek island of Crete, a customary practice for mitigating hostility or conflict between two men continues to the present time. It survives mainly in local agricultural and pastoral communities and is called *sasmos*. The corresponding verb is *siazo* which means ‘pulling to taut (e.g., a wire or a string) which has been wrapped’. We adopt Herzfeld’s English translation of the term *sasmos* as ‘reconciliation’ (Herzfeld 1985: 72, 82-83, 285n). The men who intervene between the two opponents as ‘neutral third parties’ are termed *mesites*, ‘mediators’, or *siahtes* or *siastades*, two words having an identical meaning, very close to that of a ‘constructor, repairer’ of a social relation which has been disrupted. The mediators are always men, as are the parties in conflict, and the motivation for mediation is rooted in the ‘moral duty for the communal good’ as the locals claim, which means the prevention of the escalation of interpersonal hostility into an open conflict – crime and its revenge (vendetta) (Herzfeld 1985; Tsantirooulos 2004, 2008, 2019). A local saying summarizes the purpose of mediation as follows: ‘We want to close the matter, so that houses are not going to be closed (ruined)’.

In this paper, we will first attempt a conceptual clarification of the three main components of mediation. The first are the sources of conflict and the types of conflict the mediators are involved in; the second is the social profile of the mediator, which provides the background for his views to be heard by the conflicting parties; and the third is the structure of mediation as a conflict resolution mechanism. The last is specific, known to all, respected by all and as will be seen, connects closely with the scope of social relations.

The research material comes from interviews with mediators and individuals who have been part of mediation, either themselves or their kin. For the analysis of this phenomenon, we have used concepts and schemes from the theory of social practice as formulated and elaborated by the French sociologist Pierre Bourdieu (1977). In addition, the concepts *bricoleur*

¹ Professor and Director, Conflict Studies Centre, Babeş-Bolyai University of Cluj-Napoca, Romania. Email: chereji@fspac.ro

² Associate Professor in Social Anthropology, University of Crete, Rethymno. Email: tsantirop@uoc.gr

and *bricolage* as defined by the French anthropologist Claude Lévi-Strauss ([1962]1966) will be used in the analysis of the logic of the mediator's argumentation to describe a different way of thinking from the modern Western perception, for the construction of a project.

As will be seen from the interview material from mediators and people for whom mediation constitutes a 'social practice', there is a correspondingly configured *habitus*. In Bourdieu's theory, *habitus* describes the embodiment of social structures. The social structures do not *determine* but *shape* individual perception and action. In Bourdieu's words, *habitus* is

systems of durable transposable dispositions, structured structures predisposed to function as structuring structures, that is as principles which generate and organize practices and representations that can be objectively adapted to their outcomes without presupposing a conscious aiming at ends or an express mastery of the operations necessary in order to attain them (Bourdieu 1990: 53; see also Bourdieu 1977).

In this sense, our final aim is to explore the 'logic of practice', that is, to proceed with the creation of a model that explains the 'objective systematicity' of this practice. The main goal is to reveal the 'logic of practice' of a 'social practice', which, since it is geared toward a specific goal – resolving a conflict – organizes and establishes specific strategies. As seen below, these strategies are not limited to linguistic performance.

The approach is anthropological, i.e., it will focus on social and cultural aspects of Cretan society, where a specific *habitus* is created and shared by all those directly involved in the conflict, parties, and mediators alike.

It will be demonstrated that mediation is a 'social practice' through which, on the one hand, the amount of symbolic capital available to every man is measured and, on the other, men are called to demonstrate it practically. Therefore, the symbolic capital that cannot be seen as unconnected to the material is at stake in the whole process of mediation. It is not a coincidence that many mediators are great shepherds or have positions like heads of pastoral or agricultural cooperatives, or are local or even state politicians. Consequently, the 'personal selflessness' and the 'interest for the public good', presented by local people as incentives for mediation, constitute, in Bourdieu's (1998) terms, a 'verbal alchemy' for the 'disguise', 'masking' or 'overlooking' of practices associated to self-interest. More specifically, this is a society which has much in common with societies identified by anthropologists as 'egalitarian'. Egalitarian does not mean equal and refers to institutions and not to whole societies. In Mediterranean societies, according to John Davis, the interest in egalitarian institutions is that, in the making of important political decisions, they exclude differences in crude material wealth from consideration. That means that, 'the reality of differentiation is socially destroyed instead of being construed to create a stratification' (Davis 1977: 122). Boehm (1993), in a cross-cultural survey of many egalitarian societies, argues that an apparent absence of hierarchy in these societies is the result of followers dominating their leaders rather than vice versa, creating a 'reverse dominance hierarchy'.

It is also important to note here that, from a historical point of view, many Mediterranean societies (on major islands, like Sicily, Sardinia, Crete, Cyprus or Corsica) have

been, for most of their history, part of imperial states, where the centres of power and authority were located far away. In the case of Crete, the island was part of the Roman (67 B.C.-330 A.D.), Byzantine (330-1204), Venetian maritime (1204-1669) and Ottoman (1669-1898) empires, with central authority located in such faraway cities as Rome (1,200km), Venice (1,500km) and Constantinople/Istanbul (750km), huge distances in ancient, medieval and early modern times. However, in the period between 1898 until 1913 the island of Crete was an autonomous state. Furthermore, given the island's mountainous geography, all occupying powers (including the Germans during WWII) confronted major difficulties in establishing control of the mountainous areas and concentrated their military forces and administrative authorities in the main cities on the coast and the lower plains. Authority in the mountains was left with the local communities, favouring the persistence of an ancient, clan-based organizational structure and the egalitarian ideology that penetrates island-wide. The lack of a powerful, legitimate elite able to effectively control the inland regions or intervene between opposing parties left the administration of justice in the hands of the local communities, generating the vendetta as an institution of social control and *samos* as a social practice of preventing conflicts spiralling into full blown blood feud.

Conflict in the context of the Cretan mountain society

For local people, conflict does not mean a general dispute, arising in relation to family or proprietary differences (issues of right in *rem* or family law in accordance with the legal terminology), in which mediators intervene. On the contrary, the content of the conflict is very specific. It is an act of verbal or physical violence against a person or an act of damage or destruction of immovable or movable property. Also, in the mountain pastoral societies, the stealing of sheep or even their slaughter and abandonment in the sheepfold of the owner is frequent. All these acts of violence are culturally signified as 'assaults against self-regard', against the honour and reputation of a man by another man (Herzfeld 1985, Tsantirooulos 2004).

This is a local signification, which forms part of the bipolar system of honour and shame of Mediterranean and Balkan societies in a dyad which has attracted the interest of ethnographic researchers since the 1950s. These values must be an integral part of the 'symbolic capital' which should characterize men and must be demonstrated and proven in daily life. Because these are values that reference the public image of the individual as a 'person' (Morris 1994), if they cease to be recognized by the circle of people around a particular man, then they cease to exist. Also, in this sense, it is reasonable to assume that this symbolic capital is not consistently defined but fluctuates in direct proportion to the number of people who recognize it and support relevant options and decisions. The higher the number of supporters, the greater the 'symbolic capital' is. Consequently, the symbolic capital of one man might increase at the expense of others, which creates an unstable situation of sensitive balances and hence conflicts between individuals with the potential to drag in wider kinship groups (Peristiany 1974 [1967], Gilmore 1987, Albera, Blok and Bromberger 2001, Campbell 1964).

In this context, acts of verbal or physical violence are not considered a cause of conflict, but as a practical expression of a social relationship between two individuals or groups of kin which has been disturbed as both sides compete for access to material resources. This fight is either to maintain the status quo or to contest and overturn it.

This is a conflict rooted in the material basis of society, which in agricultural areas is to challenge rights of land ownership to pasture or areas of land of particular use as they are located near the sea or other places of interest (e.g., areas of natural beauty, archaeological sites, etc.). In an urban environment, conflicts may arise due to suspicions or complaints to the police of illegal activity in the operation of a business or its extension without legal permission from the authorities. In both the urban and agricultural environment, conflicts may arise over weapons, and human and drug trafficking.

In Cretan society there are two main factors that contribute to this type of conflict. The first is the egalitarian nature of society, for reasons we touched upon above. The second is the important role of obligation in daily social life (obligation to assist), in the broader political aspect (patron-client relations). It is a social practice reflected in corporations which are based on kinship relations, namely consanguinity, affinity, and ritual kinship, such as that of godparents or fraternal orders. Proof of this is that Crete is still today a feuding society. As will be seen below, the potential of murder and vendetta arising between the lineages of two men directly involved in conflict, with disastrous consequences for both sides, is imbued in the overall discussions in the mediation (Tsantiropoulos 2004).

In summary, conflict and specific forms of violence are 'social facts' as defined by Durkheim, i.e., 'a category of facts which present very special characteristics: they consist of manners of acting, thinking and feeling external to the individual, which are invested with a coercive power by virtue of which they exercise control over him' (Durkheim 1973: 52). This is because in a feuding society there are two justifications as part of a system of 'social representations' relating to revenge. From this point of view, the conflict is a social fact: an act of violation of honour and self-regard of one man by another and the morality of being the first to retaliate. The concept of 'collective representations' is used here with the meaning given by the French sociologist Emile Durkheim (2014 [1898]), i.e., socially configured constructions of thinking concerning the social ideals of altruism, morality, knowledge and the way they shape all aspects of daily life in this particular society. As we will argue, this runs through the totality of argumentation on mediation. In other words, at the level of local conceptions, mediation does not negate but confirms and ratifies (Tsantiropoulos 2019).

A conflictual situation is expressed by the two conflicting parties avoiding meeting in public places (e.g., cafés, square, etc.) or at social events. In the local language idiom, this situation is declared with the words 'they do not speak to each other'. This means that a meeting is very dangerous, as it might spark anger from the victim's side and turn into an exchange of insults, which in turn may lead to the intensification of hatred and violent acts, such as fighting or even murder. In the context of a society like the Cretan one, where the dyad honour/shame is fundamental to the system of values, it is reasonable to assume that strong feelings of anger resulting in violent behaviour may be evoked, particularly in the victim as a reaction to the shame felt by the exposure of his corporeality to the gaze of the Other (Fuchs 2003).

The Other is not only the embodied rival, who has offended him, but is also a condition – the symbolic order as conceptualized in social relations. For the participation of the individual in this symbolic order, i.e., to co-exist socially, the value of honour is fundamental. But honour as a positive social value exists in one person only when it is identified by a circle of people; therefore, it must be proven continuously and publicly in practical terms with the objective of social acclaim. That is why, at least in Crete, the value of honour is described as a ‘clean forehead’ in the eyes of society. In other words, the gaze of society functions as a mirror in which both the value of the individual’s honour as well as its depreciation, i.e., diminishing into a condition of shame, are constantly reflected.

Louis Kriesberg identifies four factors that need to work together in order to generate a conflict: identity, grievances, blame and power (Kriesberg 1998). Identity plays a crucial role in understanding the dynamics of the emergence of conflict in rural Crete. Essentially, identity cannot be separated from honour. Honour defines, structures and upholds individual identity in relationship with one’s community. How a man sees himself (as mentioned above, it is only men that are involved in conflicts that might escalate into blood feuds and need mediation) is anchored in how his status is perceived by the community. Any attempt to reduce that status through insults or damage to property must necessarily be followed by retaliation, to restore the balance and thus the way the victim is perceived by the community and, even more important for the dynamics of conflict, how the victim perceives how the community perceives his status. Not retaliating against an act that is seen as status-demeaning leads to actual demeaning, in the eyes of the Other but also in the eyes of the victim himself, who is now considered ‘less of a man’ (Bourdieu 1979). Honour requires retaliation, hence the inner logic of escalation and of the necessity of mediation before that happens.

Avoiding a meeting by those directly involved in the conflict is both an indication that the social order has been disturbed as well as a tactic throughout the early stages of mediation. It makes time for the mediators to be summoned and begin their work. The seriousness of the conflict is assessed by how difficult the mediation appears to be. In addition to aspects like the amount of damage to property or honour, another factor contributing to the seriousness of the conflict is the psychological profile of the two main opponents, measured in terms of fractiousness and stubbornness. A severe conflict means long-term negotiations, the involvement of several mediators of high prestige, possibly from distant parts of Crete, and potential changes in the composition of the group of mediators during the mediation.

In particular, the most difficult conflicts to resolve are those where the people involved are from the same village, or even more difficult, living in the same neighbourhood. The locals say, ‘If they come from the same village and are neighbours, they will inevitably meet and this will aggravate their temper’.

Another indication of the severity of the conflict is the social prestige of those directly involved. The higher the symbolic capital that they bear, the more difficult mediation is. Therefore, it is easy to understand that the toughest mediations are those where the people directly involved in the conflict are mediators themselves.

The objectives and the logic of mediation

The stated goal of mediation is to restore a social bond between two men who have suffered a break, with the aim of preventing murder and consequent feuds. This means that mediation is a tool for preventing conflict escalation at the same time as a conflict resolution process. It also means that a prerequisite for the successful outcome of the mediation is the consent of the two directly involved in the conflict to accept the mediation, i.e., to agree to speak to intermediaries.

Sometimes, the victims of violence resist and refuse to accept mediation, aiming for retaliation, in a logic of restoring the imbalances created by the violence inflicted on them and to thus 'equal the score' and be able to engage in mediation on an equal footing with the initiators. This creates the risk of further violence, hence the aggravation of conflict beyond resolution. It is then that the mediators project their social status. This is reflected in the use of local phrases such as: 'they will make them fix things between them' or 'make them agree to come to mediation'. Since the mediator's power of persuasion derives from his symbolic capital, it should be higher than those involved in the conflict. Contrary to the accepted practice in modern state law where the mediators cannot impose mediation or themselves as mediators onto the conflicting parties, in Crete (as in almost any other traditional community across the world) mediation is seen not as a procedure at the disposal of the conflicting parties, but as a necessary vehicle for restoring peace in the community and hence of a wider interest than that of the parties involved. Therefore, pressure to bring some sense and get the conflicting parties to talk to each other through intermediaries is socially accepted and mandated by the mediators. Moreover, a refusal to attend mediation is perceived as an insult to the mediators. Antagonizing powerful men is rarely a good strategy, therefore parties, especially the victims, are generally persuaded to accept their good offices.

The symbolic capital of the mediator should not be too much higher than that of the parties, however, for two reasons. One is that it is socially incorrect and therefore against the status of the mediator to deal with the conflicts of two men who stand in a much lower social position than him. Low-status men typically lack the social power to gather supporters and escalate conflicts into open violence. As a result, these conflicts usually remain limited to trivial competition or verbal argumentation. The second reason is that mediation relies on rhetoric based on persuasion and the equal treatment of opponents, aiming to achieve balance. Accepting mediation is, therefore, an act of engaging in 'dialogue' with the opponent through an intermediary process. This approach differs fundamentally from adjudication, which is rooted in the authority of state law.

Unlike mediation, which often reflects culturally embedded conflict practices, such as blood feuds seen as 'intergroup phenomena' (Pospisil 1972: 392), law functions as an 'intragroup affair.' It represents the decision of an authoritative entity imposing a resolution on two disputing parties, requiring both to comply with its provisions (Rouland 1994).

[The mediator] should know how to speak [in order] not to bring further problems neither with the one nor the other [opponent]. To know how to talk [...] to bring those [opponents] in a common denominator.

Nektarios A. had fought with somebody. I wasn't aware of it and one day, at a Christening, I discovered that they were not speaking to each other. One of them came close to the men's group and as soon as Nektarios saw him, left. I saw that and thought: these two are not speaking to each other...damn it... Anyway... I found one of them and said to him: Listen...With Nektarios you are not on speaking terms... Yes, he replied...but I am right, and so on... I replied to him: you should reconcile. I am leaving now but I am coming back. I went and said exactly the same thing to Nektarios. No, he replied, my brother (*sinteknos*), I won't... Again, the same thing... I won't reconcile. One day he is sitting in the café. I went up to him and said: Brother you need to reconcile. No [he replies]. I got up, frustrated and hurt, and left. He called me and said: Go and do anything you please. Because he is thinking like this: why the hell should I disrespect my brother for the other man's fault? He said: for the job (the mediation), do it whenever you want and however you want. We arranged a meeting, both came and clinked their glasses and now they act as brothers. And they were about to kill each other. This deal was arranged by me and another man in the next two or three months.

Therefore, a mediator differs from a judge in modern society who, by drawing on a set of rules of law, produces a verdict, seeking the truth about the causes of conflict in order to bestow justice. A mediator also differs from an arbitrator, i.e., a man who has recognized wisdom and experience, accepted by the parties to make a binding decision on their case. In anthropological terms, a mediator is often referred to as a 'big man', a figure commonly associated with egalitarian societies, particularly in Melanesia. In these societies, the absence of structurally reproduced power, inherited rank, or formal councils created opportunities for individuals to mediate disputes. These mediators aligned their own interests, as well as those of their clans, with broader collective projects.

The success of a proposed solution validated the mediator's role, enhancing their social standing as a 'big man'. However, this status was personal and temporary, as it was based on their ability to influence others rather than on inherited authority (Godelier 1986, Lederman 2015).

In the case of Crete, the mediator should be neutral to both sides so as not to be seen as intervening to support the interests of one side against the other. Neutrality means having no close ties of relationship or any close cooperation with those directly involved.

This neutrality is accompanied by a lack of personal interest or incentive on the part of the mediator, which is described by phrases such as 'an initiative for the common good, of the mediators coming voluntarily and with good purpose, to prevent things from getting worse' (such as an escalation of the conflict leading to murder). These are preconditions for a successful mediation, since the mediator will request information about the underlying causes of the conflict, which he will handle in his arguments so that 'neither the one nor the other side feel injustice or insult'.

There is the possibility, as mentioned by several of our informants, that mediation is sometimes used as a strategy to continue or intensify the conflict. This might be because a mediator wants to benefit himself, his kin or a circle of people around him through a continuation of the conflict or its outcome in favour of one side, taking advantage of the trust

bestowed upon him by both parties. Or there might be others in the community (spoilers) who perceive the conflict as an opportunity for themselves as a way of gaining materially or socially from its continuation.

To prevent this risk, three counter-measures have customarily been adopted. The first is that there is more than one mediator – this is what usually happens – and they always go together to meetings with each opposing side. The second is that before attending each meeting, the mediators discuss the case in detail and choose their basic argumentation. The third is to go in as quickly as possible, as soon as the conflict happens, so there is no time for potential spoilers to use their influence to escalate the conflict.

The structure of the mediation process

The mediation process always begins with a period of ‘pacification’, meaning a time when the opponents voluntarily disengage and pledge to the mediators not to act against each other or take action during the time the mediators are at work. Because it is very possible for a face-to-face meeting to result in a quarrel the opponents avoid meeting each other and their relatives in public places – road, cafés, taverns – until the work of the mediators is done and the ritual dinner ending the conflict occurs. Any violation of these commitments is considered an insult to the mediators and can lead to their withdrawal or even retaliation from them, lowering the culprit’s family status and prestige within the community.

The withdrawal of the mediators is in itself a very grave punishment for the culprit’s family – it leaves that family totally exposed to retaliation from the other family and from the entire community, with no protection whatsoever. It basically turns that family into outlaws, free to be persecuted by anyone in the community and left to deal with law enforcement agencies themselves. For this reason, the mediators are always persons of high prestige, high power and influence in the community – so no one usually dares to infringe on their work or refuse their services (and solutions, as we will see below). Mediation is thus not to be taken lightly by the people involved in a conflict and cannot be refused on a whim.

There is one exception regarding this period of pacification. If the perpetrator comes from a very poor family and the victim belongs to a very well-off one, the powerful family will always retaliate first (so to establish equality as victims) and only then will they accept mediation. Thus, their honour (gravely affected by being assaulted by someone of a lesser status) is restored and mediation can begin. But, as in any other social construct, there can be exceptions to this ‘rule’. For example, to prevent the powerful from retaliating in kind, the mediator(s) may pay the rich family out of their own pockets and thus restore their honour, leading them to accept mediation without getting even with the perpetrator’s family. This happens only if the violent act concerns the destruction of property.

During this period of pacification, mediation takes place. At the beginning, the ‘truths’ of each side on the cause of the conflict will be the first topic discussed by the mediators with each side separately as it is necessary to acquire knowledge, for two reasons. One is that this will help them in the debate on the conditions laid down by each side on the other, and in particular to predict whether one side or the other will accept the conditions of the other to

formulate appropriate cooperation to increase the chances of acceptance. At this stage of mediation, each side may openly admit their own responsibilities, but accuse the other side of their own, as factors which led to the conflict.

This is one of the reasons mediation is the accepted path to (possible) resolution, rather than other procedures, like arbitration or litigation. A debate in which both sides openly discuss the 'truths' that led to the conflict with an arbiter or judge will lead to an aggravation of the conflict. These ways to resolve the conflict (arbitration or litigation) are completely at odds with the values of a society relating to what is called 'self-regard'. Locals say 'from their self-regard, they will not admit their mistake even if they think they were wrong'. But each side separately can admit their mistakes before the mediators as a practical demonstration of their confidence in them. This is a matter not only of neutrality and impartiality (which arbitration, at least, can provide), but of confidentiality and trust in the capacity of the mediators to help find the 'right' resolution of the conflict, one that not only resolves the issues between the conflicting parties, but also restores their status and self-regard.

This aspect of mediation is understood as a requirement on both sides and the mediators, or as the locals say, 'the mediators should know the whole truth'. A mediator we interviewed said that in one case of mediation with four others, one side expressed doubts that the other side spoke openly to the mediators, i.e., that they admitted their own mistakes and injustices to them. Therefore, that side refused to compromise. The mediators insisted that the other side spoke openly or, as our informant said, 'told the truth' and, as proof of this, they proposed to swear in front of the icon of a saint ('to enter the oath', in local jargon). The mediators' intention was to reduce any doubt, so that compromise could be achieved.

Some informants stressed an important risk regarding this aspect of mediation. They claimed that there is the possibility of a mediator exploiting the benefits of access to the information the two sides have entrusted him with, by gaining benefits either for one side or for himself or others with whom he has ties of kinship or transactions. We have seen above what measures are traditionally in place to avoid this kind of behaviour (it does not mean, however, that they are always successful).

As a next step, the mediators find out on what terms the family of the victim would settle the conflict and refrain from retaliation. After establishing the facts and identifying the families' expectations and wishes, the mediators confer and build a solution based on the findings and on what is considered just according to tradition, customs, unwritten rules and their own best judgement.

Here there are two courses of action that the mediators will always avoid. They will not pressure the offender to apologize to the victim, nor will they ask the victim to give up any intention to reciprocate. Neither course of action will ease the conflict and lead to resolution but instead could aggravate it and possibly ruin the whole process. An apology means denying the motivation that led to an act of violence in response to an injustice or damage suffered by the victim. The non-reaction of the victim means giving in to the desires of the offender, which were the reason for his violent behaviour. These are solutions which are contrary to the values of local society where, as we have seen, the concepts of self-regard, pride and honour reign supreme.

Therefore, mediators are men whose judgement and abilities are most trusted by the people involved. Contrary to modern state law practices where anyone can become a mediator if a certain number of formal conditions are fulfilled (training, qualifications, exams, etc.), in the more traditional environment of Cretan rural society a mediator has to be someone trusted by the parties, a trust that comes from his abilities, life achievements, reputation, status (economic, social or even political), power and influence, a symbolic capital that no formal training or certification can provide.

The mediator focuses on the conflict and highlights the possibility of its escalation into an ongoing feud as an outcome of not finding a solution that works for both parties. This is a condition that all are aware of in the local society since it is a 'feuding society' (Black-Michaud 1975), and therefore the feud is a *habitus* (Bourdieu 1977) and the 'collective representations' (Durkheim [1898] 2014) of a blood feud are familiar to all: a crime which initiates a sequence of retaliatory crimes, in which the following generations will also be involved, as the two kinship groups will also exchange the roles of perpetrator and victim. It is conceived by local people as a 'mimetic violence' as René Girard defines the term (Fleming 2002) or an 'exchange of death' analogous to the Maussian notion of the 'gift' (Mauss [1923] 1979) where there are no winners and losers. As one of our informants put it:

Because when the job [the interpersonal difference] becomes serious; you give your children difficulties (*kousouria*), you leave them with a past and a future. Future and past. You leave them with a future [of conflict].

The final argument derives from a familiar past, which is re-contextualized from that conflict and displayed as a future possibility. The past concerns old blood feuds and their consequences, as well as a biography of the respective generations of those directly involved to show that they are adopting the values of the society and therefore obey them to the point of murdering to defend them.

Therefore, the argument of the mediator, delivered by a man with social prestige equivalent or slightly higher than those involved in the conflict, is to make the parties visualize conflict as a possibility (or warning) of an ongoing feud, which makes the parties reflect on the costs of continuing the conflict and refusing to acquiesce to a solution offered by the mediators.

Different from modern state law rules and practices, the mediators build the solution, not the parties. We can argue that mediators act like a filter. They discuss with each side their terms and try to formulate them to be acceptable to the other side. The criteria for filtering derive from the discussions on the causes of the conflict and the form of the violent act, but also the status difference between the two sides. As the mediators play a far more active role in the formulation of solutions to the conflict than their state legal counterparts, we should focus here a little more on the condition of the mediators.

As already described, it can be assumed that the mediator is not a man with a theoretical background or specific education, but rather someone who may have just basic literacy or be totally illiterate. In answer to the question of 'how can one become a mediator?', we were told that the capacity for mediation is acquired through a process of apprenticeship in social affairs under the supervision and advice of one's father or a very close male relative. The French term *bricolage* is used by Lévi-Strauss as an analogy for understanding the working

principles of mythical thought and can be considered very helpful for understanding how a mediator's thinking works (Lévi-Strauss 1966 [1962]). More concretely, Lévi-Strauss defines two distinct ways of thinking: the scientist and/or engineer who has a project in his mind which determines his choice of tools and materials; and the *bricoleur* who is led by the materials and tools available, considering and reconsidering these heterogeneous objects to 'engage in a sort of dialogue with [them] and, before choosing between them, to index the possible answers which the whole set can offer to his problem' (Lévi-Strauss 1966). For the *bricoleur*, 'the properties of each – tools, materials and project – are uncovered in the process' (Freeman 2007).

In structural terms, the scientist works with concepts whereas the *bricoleur* 'construct[s] a system of paradigms with the fragments of syntagmatic chains' (Lévi-Strauss, 1962: 150). In doing so, the *bricoleur* is subject to various types of constraints posed by limited and heterogeneous material, 'the collection of oddments left over from human endeavours' (Lévi-Strauss 1966). The French anthropologist emphasizes that the distinction between engineer and *bricoleur* is not a hierarchical one, but it represents 'two distinct modes of scientific thought', the mythical and the scientific (Lévi-Strauss 1966; Freeman 2007). In addition to this, one can assume that the *bricoleur* acquires his knowledge and capacities through apprenticeship:

The mediator is the major actor, the main protagonist as well. In other words, in order to do this job, you have to think fast... and you should know this particular job doesn't need education. Education is not enough. No, you must be born for it. [When asked how he learned to do mediation] You know... My father was a mediator. I saw it happening at home ... inviting people. He would tell us to stay [in other rooms], but we would look on at the situation. We understood. We are five to six brothers; I got the charisma of my father. His charisma. And then when I grew up, I liked to do the same. And I continue to do so. I am successful. [...] And they say: go find Andrew K. who knows. Who has qualifications? You are not going to tell me what to say. It's my decision. I will improvise. I do not read [...] and I will make examples. When I was young, I mediated for young children. At the beginning you do an easier mediation, later a more serious one, and finally the very serious. You will reach an age, when you have finished your army obligations, and become a familiar face, a chief [*tsiftis*] to the local society, significant.... and end up being a man with status. With status. But to get so far is like you're telling me to go and get education. This is the best education. Of course... it comes with great struggle, a great deal of experience. In other words, with constant practice you get the experience. Of course... it cannot be done instantly... you can climb up the steps slowly. Do you get it? [Narration of a middle-aged man, a mediator].

And in another fragment of speech by a 20-year-old student at the University of Crete, whose father intervenes mainly in conflicts between shepherds:

My father intervenes in mediation concerning various conflicts between shepherds. In the case of the mediation I am describing now, the mediator was a son of shepherds, grandson of shepherds and so on. But he is a baker. He became

a mediator because he is in that circle. The issue is to be in the circle of Psiloritis [means the shepherds' villages at the Cretan mountain of Psiloritis], to mingle, to attend weddings – the main thing is going to weddings – to give money as the gift, to dance, your name to be heard by the lyre player, to go around the villages. And if you start mediation, you need to participate in various ones. Even if you are a farmer, once you enter this circle, you can do it. The main thing is to be in the circle [means being present in various circumstances of local social life]. It is impossible for a man that lived all his life in Heraklion to start doing mediation. How? Why? Does he know what sheep are? Does he know what they are feuding about? Does he know the entire ideology?

One question that arises is about the 'material' the mediator uses for his negotiations. It can be assumed from the fragments of local discourse cited below, that this 'material' stems from the 'collective representations' (Durkheim 2014 [1898]) of the local community, i.e., thoughts, experiences, knowledge, values, perceptions, etc.

In the mediation there is a clear objective, but it is not victory over the rival but to avoid a situation in which there will be no winners and losers, i.e., an 'exchange of murdered men', that is the blood feud. And this is emphasized constantly throughout the procedure: 'to close the deal, so they do not ruin their homes', 'the small becomes large', 'if you do anything worse the opposing side would not leave it like this', etc. These are the general guidelines and objectives, the compass for the overall progress of mediation and they act for reducing unnecessary or reckless moves which do possible damage to the process of mediation. The goal of the mediators is to bring the opponents into a situation of awareness of the consequences against them arising from the situation.

The parties retain their power of decision-making over the solution, meaning that (in theory) they can accept or refuse the terms the mediators communicate from one party to the other. In reality, a refusal is unlikely. Families can negotiate the terms offered by the mediators for a long time (for months or even for years), but they rarely refuse and withdraw from mediation. Naturally, the parties attempt to change details, going back and forth over the terms to gain a better settlement. The mediators accept these attempts, considering them an organic part of the resolution process. A rebuttal would be regarded as an insult to the mediators and their judgement, with the same consequences as described above in the case of a violation of the 'pacification' oath.

The mediators maintain confidentiality about what has been told to them by the parties – they never tell one party what the other has said or what they want in order to settle; they also never discuss the issues related to the conflict with anyone in the community, as it is considered that there may be someone who might be willing to escalate the conflict, to profit from it or to prevent a settlement happening.

After coming to a solution by conferring among themselves, the mediators go to the parties and communicate it. As stated above, families can accept or refuse it; they might put up resistance anticipating a better deal, but refusal is rare. Families can negotiate the terms and the mediators go back and forth, shuttling between the houses of the families involved until every detail is agreed. This is a familiar pattern in traditional, community-based dispute resolution practices, as noted in many other places in the world (for example, Pely 2011a and 2011b; Chereji and Wratto 2013). If mediators are accepted or selected based on their sound

judgement and vast experience, they are expected to actively contribute to designing a solution, not merely conveying messages across the board. Whereas in modern state law, in facilitative mediation, the mediator is expected to let (and help) the parties design the solution to their conflict, based on their interests (Riskin 1994), in traditional settings, the mediators, as figures of great authority and experience in communities, are called on to formulate the solution and present it to the parties, who will discuss its merits and finally accept it.

When a solution has been accepted by all parties, a formal ritual of reconciliation has to be followed. The formal confirmation of the mediation can be described as a 'ritual gaze' between the two rivals. It consists of a formal dinner following a specific choreography in a neutral space, usually the home of one of the mediators or a tavern, early in the evening.

The feast is prepared by women: lamb grilled with potatoes, or stew with rice and salad is served. The drink is wine. The participants at the feast are men only and those directly involved in the rivalry and close male relatives such as brothers, brothers-in-law and cousins. The escort of male relatives has a strong symbolic character and shows that they endorse the decision of those directly involved to enter the mediation and will not attempt to initiate a resumption of the conflict; on the contrary they will be concerned for its further normalization.

At the house or tavern where the feast is taking place, the mediators come together first. After a while, one of the rivals arrives with an escort of his male relatives. Then, in the same way, the opponent arrives with his escort. The table used for the feast is usually rectangular. Each group enters the house with a solemn attitude and greets those present with a simple 'good afternoon'. The men directly involved are seated in the middle of the table, on each side, and the escorts to the left and right. The mediators take their seats at both heads of the table. Until everybody is seated nobody speaks and the food is served quickly. First the mediators talk to both groups noting that their relationship will be even better than before, their differences end here, that they must forget it all, 'water and salt'. This and other similar expressions are the first and last reference to this conflict. Then they urge both sides to *skountrixoun*, i.e., to clink their glasses, saying *eviva* (cheers), and drink just a little wine. In this context the verb *skountrizo* is a 'performative speech act' (Austin 1962) and sanctions the compromise.

First the two men directly involved in the conflict clink the glasses with wine, then the escorts of one side clink the glasses of the other; then they start eating and begin to talk, being very careful to not make any verbal reference to the interpersonal differences in the events and situations which could be considered to be related to the conflict. The topics of discussion are the problems of concern to the local society as a whole. In other words, they just make conversation. Usually, they stay for some time and then they depart following the same pattern: first one side all together, then the other side, while the mediators leave last.

The *skountrisma* is in no way identical to a peace agreement and the feast is not conducted in an atmosphere of celebrating reconciliation.

Since I was a young child, we had *sasmos* at home. My mother would tell us children to stay in our rooms, not to come out, not to play because people were coming to do the mediation. It was a very serious matter. And we were very serious. We stayed in our room and if we came out, we would greet them and leave [narrative of a mediator's daughter].

The *skountrisma* can be regarded as a ritual exposure of one side in the gaze of the other, sides which have not been speaking to each other for some time. After they *skountrixoun* they can be exposed to the gaze of social and cultural order. This means that there will be no more restrictions against seeing each other in a meeting which could result in violence or even murder, i.e., they will be able to meet in public places, so that the compromise will be visible and known to the wider society.

Feasting is a validated ceremonial exposure to the gaze of the Other, illustrating the restoration of balance following the conflict. First of all, the presence of certain relatives is so important that if any are missing, the mediators begin to have doubts about the success of the mediation. They say, 'they did not come to clink (*skountrixoune*) and we must keep an eye on them, not to mess with the mediation', suggesting that their absence from the ceremony is indicative of disagreement with the conditions laid down for the compromise, and that they might try to rekindle the conflict. In the case of low attendance by male relatives from both sides, the compromise is characterized as a 'small mediation' (*mikros sasmos*).

If some of the men of any of the families involved do not show up at the feast, it means they have rejected the terms of the agreement. This situation could endanger the future relationship between the families involved and even lead to a re-escalation of the conflict. Consequently, the mediators go to them, work to find out the reasons for their refusal and talk them into acceptance. If they are obstinate, the mediators look for someone who can influence them and ask them to intervene. It is only once the families have accepted the agreement and publicly ended the conflict that the mediators would enlarge the circle of those involved in the process of mediation. This process continues until everyone is satisfied, and the conflict has been completely extinguished.

Also very important is the general atmosphere prevailing during the feast. A mediator said that once during mediation in his home not the slightest sound was heard except the ladle of the housewife stirring the rice in the pan: 'they clinked their glasses [*skountrixane*] and immediately stood up and left'. In this case the mediators keep an eye on both sides. But, as stated by the same mediator, there was also a mediation when the two men involved sat side by side talking until late in the evening. In such a case the certainty of the mediation success is confirmed, and the social prestige of the mediator revalidated. On the other hand, a mediation which is followed by a quick revival of the conflict is a blow to the social prestige of the mediators, who feel that the man continuing the feud (who retaliated) did not keep their promise, i.e., did not demonstrate public acceptance of the compromise so that there is no conformity with what they had verbally promised to the mediators.

Sasmos and state law

A discussion of the possible intensification of a conflict leading to murder, and turning into a murderous feud, is used in judicial resolution of a conflict in order to reduce the penalty. It should be pointed out here that in several of the conflicts and even in the case of injury a complaint is not made to the police and is resolved through the intervention of mediators. But

even if a conflict is brought to court, the arguments of the mediators are of particular importance to the judicial office. This is attested by the following testimonials provided by the mediators:

I have been called as witness to the Court. I said that I am a mediator; I have fixed the situation and I asked the judge to show great understanding, since we had made them come around. Not to punish them since that would continue the hatred of one against the other. This counted a lot in Court. The Court was in Crete, Chania. And also, in the Court of Heraklion, this has happened to me. And the Court accepted.

The most difficult mediation was in Sfakia. It was an injury due to an old vendetta arising. And we made them reconcile. The procedure lasted two to three years. We [went] to the Courts in Lasithi and Chania several times. From that point on, everything was ok, nobody troubles the other, and they stopped the feud. We had four or five people involved. [During the procedures] some left, and others were added. We were in the Heraklion Prefecture, one or two people at the beginning. I was participating up until the end. Some left. One or two people were from Mylopotamos and then people from Sfakia who knew the victim very well. We said to the Court that I, the mediator, was an eyewitness from the beginning. I was, in fact. I saved the injured person, otherwise he would have died. He said to the Court that they had a feud for many years, now all is forgiven. Mediators intervened, we came to an understanding, now we're continuing with our lives. I am not asking for his prosecution. And the Court accepted. The Court case went on and on for years, one postponement to the next. In the meantime, the injured healed. We would go back and forth to both sides and finally got results. The two families said that they're not going to hurt each other, they had stopped. They told us and the Court. First (they told) us and then the Court.

In the local Cretan newspaper *Cretan Inspection* in 2007, an article was published, 'a few comments in the aftermath of a trial', signed with the initials of the author's name. The article refers to a trial held a few days ago, which concerns a case of attempted murder for revenge amongst Cretans:

But what should be acclaimed in this trial is the role of the social mediators. Honest and respectable citizens, representatives of all the families of the community [of the offender and the victim who originate from the same community] – and along with them, to their honour, the priest and the mayor – decided to intervene in order to contribute decisively to ending an ongoing feud between two families who had always been friendly until an unfortunate instance, 47 years ago, a mindless act of a 15-year-old, divided them. Their intervention was so decisive that they signed an agreement of honour for their active contribution to the ending of an ongoing feud and the peaceful co-existence of the two families. This demonstrates the diligence and social sensitivity of local societies, which, when they decide to take action into their own hands, can change the whole culture of their homeland.

Considering that writing consolidates and validates orality (Goody 1987), this post had a specific aim: to verify and literally document an oral agreement of compromise. The punishment of the accused was converted from attempted murder to a simple fault of intimidation and humiliation. Surely the penalty would have been much heavier, if for the same crime, the defendants had come from other parts of Greece and not Crete where blood feud is an ongoing social practice or if the defendant did not have the support of a circle of men with high social prestige acting as his defence witnesses in Court.

Conclusions

There are many unresolved issues regarding the use of mediation to prevent conflicts from spiralling out of control. What we have attempted above is to describe, based on interviews with local mediators and people who have gone through the process, what its basic tenets are and how it works. The Cretans call this process ‘mediation’ – *sasmos*, in Greek, which literally means ‘reconciliation’. The mediators are called *mesites*, meaning mediator, but also *siahtes* or *siastades*, two words with an identical meaning of constructor, repairer of a broken social bond.

Western authors like Christopher Moore (2003) define mediation as a conflict resolution method where the parties retain full power of decision over the way their conflict should end. Consequently, mediators should refrain from even suggesting possible solutions to parties. At the core of the mediation process lies self-determination, the parties having complete control of the decisions and the mediator holding no power over their decisions. Therefore, if, as in the case of *sasmos*, mediators construct the solution and then they present it to the parties, can this process be technically qualified as mediation?

Our answer is that as long as the parties still retain their power (amplified or limited by a number of factors) to bargain over the terms and the details of the solution designed by the mediators, and given that, ultimately, they can withdraw from mediation or refuse the solution, there is enough self-determination present in the process to qualify as mediation.

It is important to recognize that the clear-cut distinctions between various conflict resolution methods often reflect the specific social and legal structures of Western societies. In many other cultural contexts, these boundaries are less rigid. Societies around the world may use the term ‘mediation’ for processes that extend beyond what is typically defined by Western scholarship and practice. Ultimately, what matters is how effectively a conflict is resolved, not whether the process fits into predefined models or definitions. According to our informants, traditional mediation practices and customary rules often influence court decisions, leading to outcomes that are more efficient in terms of time and cost than relying solely on formal judicial systems.

There are many issues that need further investigation. Despite its good record for resolving difficult conflicts, there are situations when *sasmos* fails and conflict escalates, becoming a full-blown blood feud. What are the factors that make most mediation cases successful and what conditions the failure? Why are certain cases not amenable to mediation

and what makes them resistant to this process? These are all valid questions for further research.

Even more intriguing and challenging is looking into the role of women in blood feud mediation. At a first, superficial glance, it is apparent that women are definitely relegated to minor, insignificant roles, like cooking the meals for the ritual feast, setting the table and cleaning after the men have gone. But various reports from our fieldwork reveal the power that women can wield informally, far removed from the gaze of others (including ours, the researchers), but effective, nonetheless. More research in this line can bring valuable understanding of the real role played by women in blood feud mediation.

Many communities around the world use customary mechanisms to resolve conflicts among their members. These indigenous and traditional methods are not outdated or ineffective but are well-adapted to the unique social structures of their respective societies. Rather than being 'informal' systems rooted in superstition, these processes often involve intricate rituals aimed not only at addressing wrongdoing but also at restoring harmony between the involved parties – a holistic approach that has only recently gained broader recognition in many modern legal systems. These time-tested practices have demonstrated their effectiveness and resilience over millennia. By studying them with an open and unbiased perspective, we can gain valuable insights that may enhance contemporary approaches to conflict resolution.

Bibliography

Albera, Dionigi, Blok, Anton and Christian Bromberger 2001. *L'Anthropologie de la Méditerranée*, Paris: Maisonneuve & Larose, Maison méditerranéenne des sciences de l'homme.

Austin, John Langshaw 1962. *How to do things with words*, Oxford: Clarendon Press.

Black-Michaud, Jacob 1975. *Cohesive force: feud in the Mediterranean and the Middle East*, Oxford: Basil Blackwell.

Boehm, Christopher 1993. Egalitarian behaviour and reverse dominance hierarchy, *Current Anthropology* 34/3, 227-54.

Bourdieu, Pierre 1998. *Practical reason: on the theory of action*, Stanford: Stanford University Press.

--- 1990. *The logic of practice*, Stanford: Stanford University Press.

--- 1979. The sense of honour, in *Algeria 1960*, 95-132. Cambridge: Cambridge University Press.

--- 1977. *Outline of a theory of practice*, Cambridge: Cambridge University Press.

Campbell, John Kennedy 1964. *Honour, family and patronage: a study of institutions and moral values in a Greek mountain community*, Oxford: Clarendon Press.

Chereji, Christian-Radu and Charles Wratto Kings 2013. West Africa. A comparative study of traditional conflict resolution methods in Liberia and Ghana, *Conflict Studies Quarterly* 5, October.

Davis, John 1977. *People of the Mediterranean: an essay in comparative social anthropology*, London: Routledge and Kegan Paul.

Durkheim, Émile 1973. *The rules of sociological method, and selected texts on sociology and its method*, London: Palgrave MacMillan.

--- 1898. *Représentations individuelles et représentations collectives*, *Revue de Métaphysique et de Morale*, VI [Greek translation: Ατομικές και συλλογικές αναπαραστάσεις, Emile Durkheim, *Κοινωνιολογία και Φιλοσοφία*, μτφρ. Α. Γεωργούλας, Τρίκαλα: εκδ. Επέκεινα, 2014]

Fleming, Chris 2002. Mimesis and violence. An introduction to the thought of René Girard, *Australian Religion Studies Review* 15/1, 57-72.

Freeman, Richard 2007. Epistemological bricolage: how practitioners make sense of learning, *Administration & Society* 39/4, 476-496.

Fuchs, Thomas 2002. The phenomenology of shame, guilt and the body in body dysmorphic disorder and depression, *Journal of Phenomenological Psychology* 33/2, 223-43.

Gilmore, David (ed.) 1987. *Honour and shame and the unity of the Mediterranean*, Washington: American Anthropological Association.

Godelier, Maurice 1986. *The making of Great Men: male domination and power among the New Guinea Baruya*, Cambridge: Cambridge University Press.

Goody, Jack 1987. *The interface between the written and the oral*, Cambridge: Cambridge University Press.

Herzfeld, Michael 1985. *The poetics of manhood: contest and identity in a Cretan mountain village*, Princeton: Princeton University Press.

Kriesberg, Louis 1998. *Constructive conflicts: from escalation to resolution*, London: Rowman and Littlefield Publishers.

Lederman, Rena 2015. Big Man, Anthropology of, in James D. Wright (ed.), *International encyclopedia of the social & behavioral sciences*, 2nd edition, vol. 2, 567–573. Oxford: Elsevier.

Lévi-Strauss, Claude 1966 [1962]. *The savage mind*, Chicago: University of Chicago Press.

Mauss, Marcel 1979. *Essai sur le don. Forme et raison de l'échange dans les sociétés primitives*, *Année Sociologique* (seconde série) 1923-1924 [Greek translation: *Το Δώρο. Μορφές και λειτουργίες της ανταλλαγής στις αρχαϊκές κοινωνίες*, μετάφραση: Άννα Σταματοπούλου-Παραδέλλη, εκδ. Καστανιώτης, Αθήνα].

Moore, Christopher W. 2003. *The mediation process: practical strategies for resolving conflict*, 3rd edition, San Francisco, CA: Jossey-Bass.

Morris, Brian 1994. *Anthropology of the self: the individual in cultural perspective*, London: Pluto Press.

Pely, Doron 2011a. When honour trumps basic needs: the role of honour in deadly disputes within Israel's Arab community, *Negotiation Journal* 27, 205-225.

--- 2011b. Where East not always meets West: comparing the Sulha process to Western-style mediation and arbitration, *Conflict Resolution Quarterly* 28/4, 427-440.

Peristiany, John George (ed.) 1967. *Honour and shame: the values of the Mediterranean society*, Chicago: University of Chicago Press.

Pospisil, Leopold 1972. Feud, in David Sills (ed.), *International encyclopedia of the social sciences*, New York: Macmillan.

Riskin, Leonard L. 1994. Mediator orientations, strategies and techniques, *Alternatives to the high cost of litigation* 12/9, 111-114. doi: 10.1002/alt.3810120904.

Rouland, Norbert 1994. *Legal anthropology*, London: The Athlone Press.

Tsantirooulos, Aris (Τσαντηρόπουλος Α.) 2019. Διαπροσωπικές διαφορές και συγκρούσεις μεταξύ ανδρών ενώπιον του λόγου που μετράει. Μια ανθρωπολογική προσέγγιση του σασμού (συμβιβασμού) στη σύγχρονη Κρήτη, in Βασιλειάδου Δ., Γιαννιτσιώτης Γ., Διαλέτη Α., Πλακωτός Γ., (eds.), *Ανδρισμοί στην ιστορία. Έμφυλες σχέσεις, πρακτικές, εννοιολογήσεις*, 169-196. Αθήνα: εκδ. Gutenberg.

--- 2008. Collective memory and blood feud: the case of mountainous Crete, *Crimes and Misdemeanours: Deviance and the Law in Historical Perspective* 2/1, 60-80.

--- 2004. *Η βεντέτα στη σύγχρονη ορεινή κεντρική Κρήτη*, Αθήνα: Εκδόσεις Πλέθρον,

This work is copyright of the author.

It has been published by JASO under a Creative Commons Attribution-NonCommercial-NonDerivatives ShareAlike License (CC BY NC ND 4.0) that allows others to share the work with an acknowledgement of the work's authorship and initial publication in this journal as long as it is non-commercial and that those using the work must agree to distribute it under the same license as the original. <https://creativecommons.org/licenses/by-nc-nd/4.0/>

