

# Community Mediators in Malaysia: Profile and Analyses on their Roles and Challenges

Wan, Puspa Melati<sup>a</sup>, <sup>a</sup>Senior Lecturer. SEGi University, Malaysia, Email: [wanpuspa@segi.edu.my](mailto:wanpuspa@segi.edu.my)

Community mediation is a powerful mechanism to manage conflict in a multiracial society. Various efforts have been made in Malaysia to improve communal relationships including the training of community leaders as community mediators. Though there have been reports on the growing numbers of trained mediators, not much is known about their profiles and experiences. In the proposed research, selected community leaders would undergo a four-phase training for mindset setting, skill learning and confidence building and be invited to attend case conferences as refresher courses over time and as an opportunity to discuss any stumbling blocks in ongoing case management. Based on a self-administered survey with 139 trained mediators, the profile of the community mediators was outlined and the challenges that they faced were discussed at agency, interpersonal and societal levels. The findings shed light on the current state of affairs of Malaysian community mediators in addition to providing input that would help community mediators in their role in the context of managing communal conflicts.

**Key words:** *Community mediation, community leaders, mediators, conflict, social stability, clinical sociology, Malaysia.*

## Introduction

Communal solidarity in a multiracial country like Malaysia is a challenging issue due to its long rooted history of arguably unnatural, involuntary, competing and superficial racial interaction. Historically, Malaysia was inhabited by the Malays and the “sons of the soils” but was later obliged to “accept” the presence of members of other races due to economic and strategic moves by the colonial powers. It was reported that between 1870 and 1930, the Chinese and Indians were brought to the peninsula of Malaysia to work in the mining fields and rubber plantations, respectively, as they were perceived as more suited for those roles. The



urban and educated Malays were employed by the colonial administrators while the rural Malays engaged in fishing and farming. The growth of the mining sector and large scale plantations that benefitted the Chinese and Indians as well as the disparate access to customary land rights and free education for the Malays, further divided the population and increased tension between the locals and the growing working class of foreigners (The Asia Foundation 2017). This racial animosity can be argued to be exacerbated due to the divide and rule British policy as well as the implementation of the Malayan Military Administration during the Japanese occupation (Yoji Akashi, 1981).

The race relations in Malaysia during the 1940s were also tested with the proposed constitutional reform of the colonial powers where the sultans were to surrender their full sovereignty to the British, the Malays specifically were to lose their special rights and privileges as well as the “foreigners” in terms of their ability to obtain citizenship in Malaya (Yoji Akashi, 1969). Such socio-political context gave rise to the organizing of groups such as the United Malaya National Organization as well as keeping the undercurrent of racial animosity throughout the years. Racial conflict such as that evidenced in the Sino-Malay conflict in 1945, 13<sup>th</sup> May 1969, and Kampung Medan in 2001 were among the instances that demonstrated the vulnerable state of the nation and an effort to better improve racial relations in Malaysia was initiated by the government.

A pilot project of Community Mediation training was introduced by the Malaysian Department of National Unity and Integration [DNUI] in 2008 to train and prepare these community leaders as part of the effort to promote racial integration and peaceful neighbourhoods and the initiative was escalated after the Kampung Medan conflict. To date, more than 1000 community leaders have been trained as community mediators under this programme (Hanna Ambaras Khan, Nora Abdul Hak and Mohamad Akmal, 2015).

The training module for community mediation in Malaysia was developed and conducted by a Clinical Sociologist, Wan Halim Othman which covers a 20- step procedures and were carried out in four phases. The training procedures and modules were devised based on more than 20 years of experience working with local communities in Malaysia. An association was also set up to serve as a platform to support the mediators called the Community Mediation Association (*Persatuan Komuniti Mediasi* [PMK]). However, not much is known about who are the ‘graduates’, who are currently the registered members of the association, and how prepared they are to carry out the mediation process as trained. There are limited studies and writings on community mediators in Asia in general and in Malaysia in particular. Among those available in the case of Malaysia, the articles mostly discuss on concepts, models and practices from legal perspective.

Thus, it is the interest of this sociological research to profile the mediators and to highlight the challenges they faced during community mediation process by looking at the agency, interpersonal and societal levels. Methodologically, 139 respondents who have completed the 20-step training and attended the case conference sessions were selected. Their open ended data were presented and is discussed in the subsequent sections of this paper.

### ***Setting the Stage***

As the consequence of the 13th May 1969 tragedy, the government took proactive measures to improve social relations in Malaysia. Among the initiatives was the establishment of the Department of National Unity on 1st of July 1969; forming Resident Associated (*Rukun Tetangga*) in 1975; setting up the Institute of Ethnic Studies [KITA] in National University Malaysia on the 8th of October 2007 (Institute of Ethnic Studies, 2012); introducing the Ethnic Relations course as a compulsory module in universities; founding the One Malaysia Integration School; as well as introducing the National Services Program (Nora Abdul Hak & Hanna Ambaras Khan, 2013).

The setting up of associations and bodies as well as appointments of community leaders were welcomed by both the leaders as well as the community members as such effort was aimed to resolve conflict and to promote harmonious living. To ensure that the leaders were equipped, a pilot project of community mediation in Malaysia were carried out in 2008 in the main cities namely Selangor, Johor, Kuala Lumpur and Penang and the training started off with training of *Rukun Tetangga* (Resident Associates) with community mediation skills (Khan and Hak, 2014). The trainer had also trained other community leaders like the *Ketua Kampung* to be mediators under other state initiatives. However since these mediators are known community leaders, they may also hold various other leadership roles within the community and this, according to some scholars, may be a concern as such status may affect their roles as community mediators. Therefore one of the aims of this study is to profile the mediators in terms of their currently held position and to what extent that role is identified as part of the challenge that they face as mediators, which is lacking within the corpus of knowledge currently.

The general challenges that community mediators faced in managing communal issues have also previously, not been well researched. This is a very important aspect of this current study as the success or failure of managing communal issues lies beyond merely possessing knowledge and skill. The limitation of community leaders as agents themselves may serve as a barrier for successful communal intervention in addition to the unsupportive structure of the society, which is an imperative to be uncovered. In this manner, the results will be useful for the state government to further strategize how to enhance the co-existence of community leaders, apprehensive community members and authorities, to improve the system and training

based on the challenges that they face as well as to fully utilize trained leaders to maintain community harmony.

### ***Community Mediation in Perspective***

Community leaders as defined by Merriam-Webster (2018) refers to individuals that lead others who live within similar vicinity or area such as town, village or neighbourhood. Other scholars have expended the meaning of community beyond physical location by looking at dimensions such as membership (the sense of belongingness in the community), influence (ability to play a role in the community), reinforcement (ability to meet the norms and expectation of the community) and shared emotional connection (shared experiences with one another within the community) (McMillan and Chavis, 1986).

Academics have discussed the diverse role that community leaders play at grassroots level. One role is to promote social entrepreneurship, a process which “adds value to society, offers solutions to social problems, and seeks to increase personal wealth” (Rey-Martí, Ribeiro-Soriano, and Palacios-Marqués 2016, 1651). Thus, some community leaders would engage in efforts to improve the economic standing of its members through direct (encourage small business start-ups) and indirect means of involvement (middle person to provide job to help the community person) as their way to improve their communities. Another role played by community leaders within their communities is to champion community energy projects. Though various definitions have been put forth, these efforts generally refer to the planned and executed initiatives by the members of the community to develop and promote green technology such as energy saving and renewable energy generation (Seyfang et al., 2014; Seyfang et al., 2013; Walker 2008; Walker and Devine-Wright, 2008).

Moving on to the concept of community mediation, scholars refer it to the process of mediation that takes place within a community often by someone who holds position within a community or a respected member of the community such as *Imam, Ketua Kampung, Rukun Tetangga*, village elderly (Bastin and Winks, 1966; Hanis Wahed, 2015). Mediation practice is celebrated as it can help resolve backlog court cases (Hani Wahed, 2015) and the aim is not to determine who is right or wrong, but rather to ensure that both parties agreed upon outcome of the mediation and to improve social relations (Jabatan Perpaduan Negara dan Integriti Nasional [JPNIN], 2016; Liebmann, 1998). This can be contrasted to the commonly understood concept of legal mediation where it is defined as

...the attempt to settle a legal dispute through active participation of a third party (mediator) who works to find points of agreement and make those in conflict agree on a fair result... There are professional mediators, or lawyers who do some mediation for substantial fees, but the financial cost is less than fighting the matter out in court and

may achieve early settlement and an end to anxiety (West's Encyclopedia of American Law, 2008)

Mediation occurs in society and management of communal issues should not automatically be translated into community mediation. Rather legal perspective suggests the need of “fairness”, oftentimes legally trained in terms of the procedures and potential outcome and may involve costs, though minimal. Instead, the discussion of community mediation in this paper echoes the work of other sociologists that argues it is the mediation conducted by community leaders.

Community mediation in Malaysia has been discussed by looking at the types of disputes dealt with. A study with 127 Ketua Kampung and 52 Imams in Kuala Lumpur and northern states found that mediated cases can be categorized into “theft of cow, dispute over land border, monkeys in farmer’s orchard, fight between students, rubber tapper fired without reason, car accident, firecracker rocker set neighbour’s house ablaze, husband beats wife, division of land after father’s death, slander, fight between neighbour’s children, failure to repay loan” (Lim n.d., Appendix 1). Pruitt et al. (1989) also studied the mediators in the community and concluded that the cases can be classified into agriculture, community, husband-wife as well as family. Other non-community based cases have also been recorded as disputes that have been handled by mediators such as banking and insurance (Abdul Rani Kamarudin & Norjihhan Ab Aziz, 2014).

Scholars also have analyzed the type of mediation techniques and strategies employed by mediators (Silbey & Merry, 1986). Comparison between mediator cum *Imams* and the *Ketua Kampung* (Lim n.d.) as well as between community mediators in Malaysia and neighboring countries like Singapore, Korea, China (Hanna Ambaras Khan, 2013; Lim, n.d.; Wall & Callister, 1999) have been discussed, but again, using the legal lens. The three main roles often played by mediators are 1) facilitative (do not provide any input / influence decision but rather to facilitate the process); 2) evaluative (mediator assist in negotiation and event as well as provide advices and suggestions for resolution; 3) transformative (mediator plays a role in ensuring that the disputants deal with the root of the problem and repair their relationship) (Abdul Rani Kamarudin & Norjihhan Ab Aziz, 2014).

When compared across countries, previous studies have deliberated the similarity and differences of community mediation. In China, Wall and Blum (1991) studied 97 mediators – 88 female, 9 male; average 58 years old range 45 years – 70 years old – and found that the mediators tend to be more aggressive and engage in assisting strategies i.e. help look for jobs, help replace broken flower pot. Mediators tend to gain control over the situation for example who talks or what they should do. Educating and criticizing the disputants is common and these mediators are more prone to adopt the superiority position in which they feel that they know better and have the right to tell others off. In contrast, a study in Korea by Kim et al. (1993)

who researched 190 mediators randomly selected from South Korea found that the Koreans tended to adopt the reconciliation strategy; asking the parties to work it out without imposing, using the dependency strategy by asking them to apologize and regain amicable relationship often over drinks. In Singapore the mediators tend to adopt the exploratory techniques (listen to disputants, gather information), which is similar to that practiced in Japan and Malaysia. Hence, the latter countries were categorized as “non-assertive mediators” which can be contrasted to those in China (Lim n.d., p. 7).

Of course, community mediation is not a new concept and previous scholars have mentioned its roots in various cultures. For example, in Malaysia, community mediation can be traced back to the Islamic teachings (Wall & Callister, 1999). In fact, Hanis Wahed (2015) argued that mediation is part of the *Sulh* concept through which Muslims are able to manage dispute through negotiation, mediation, conciliation and compromise. In contrast, community mediation in Japan, South Korea and China have been argued to stem from Confucius teachings (Lim, n.d.) while in India disputes tend to be resolved in panchayat (Hanna Ambaras Khan, 2013)

However the role, obligation, procedural steps and key players of community have not been agreed upon by scholars. Legally trained scholars such as Hanna Khan (2014) have argued that community mediators should serve as a platform where disputes in a community can be resolved out of court but it needed to be handled by mediators who are professionally trained and to follow a certain standard etiquette, roles and responsibilities. It was recommended that the community mediators in Malaysia may refer to the characteristics and guidelines by National Association for Community Mediation. The mediators themselves should not be those leading the community but rather the opportunity to be community mediators should be open to all interested. Such idea is contrasting to that championed by Clinical Sociologists Wan Halim Othman (2019) who was responsible for the setting up and training community mediators in Malaysia. The concept of community mediation, according to him, must be clearly distinguished from mediation as an alternative to litigation.

Community mediation is a new skill trained for community leaders so they are able to assist in communal conflict effectively without the need to go to court or policing authority. The community mediators are believed to be more effective when the mediators are perceived as leaders and are respected members of the community. The 20-steps developed by Wan Halim also was developed based on more than 20 years of experiences handling community cases, thus the steps are relatively suited for community leaders to manage any case within their own communities. These community leaders such as *Rukun Tetangga*, *Imam*, and *Ketua Kampung* though not having any “real” power to take action, their personal appeal, charismatic leadership and respected status within the community tend to help in the process of community mediation.



The objectives of setting up of community mediation in Malaysia is to minimize conflict, to promote peacefulness of the nation as well as to develop individuals to be respected authorities in the community who are able to manage disputes. Mediators are expected to constantly improve themselves with continuous training and sharing in case conferences and to carry out their voluntary roles professionally, fairly and sincerely (*Jabatan Perpaduan Negara dan Integriti Nasional [JPNIN]*, 2016).

After its inception, March 2010, 30 JPNIN staff as well as 91 members of the *Rukun Tetangga* have completed their mediator training and received credentials by YB Tan Sri Koh Tsu Koon minister at the Prime Minister's Office (Aidil Aidy, 2012). It was reported that 127 mediators were trained in 2008, 172 mediators in 2010 and at present 419 mediators have been trained. The aim is to train 300 mediators each year ("*Jumlah Mediator Komuniti*", 2011; Nora Abdul Hak & Hanna Ambaras Khan, 2013).

These mediators are expected to carry out the mediation session without charge and voluntarily and document their cases in a template prepared and shared on their Association website (*Persatuan Komuniti Malaysia* 2011). The community mediators are bound by the Community Mediation Operating Procedure (*Prosedur Perlaksanaan Mediasi Komuniti*) and they have to observe the *Rukun Tetangga* Act 2012. Section 8 of the act outlines the mediating role as part of function and duties of RT (Hanna Khan 2014, p. 7)

To date, community leaders with mediation skills have been reported to contribute to the community in the management of resolved cases. The programme have decreased the number of cases involving racial issues from 1315 cases in 2007 to 912 cases in 2011 (Nora Abdul Hak & Hanna Ambaras Khan, 2013). In another report, according to statistics by the department of National Unity and integration, 123 cases have been resolved in the first three months of 2012 (Abdul Rani Kamarudin & Norjihan Ad Aziz, 2014). However, the not much is known about the "unsuccessful" cases and what challenges or obstacles affect the mediation process.

One important study highlighted the issues of recognition, acceptance by the locals, unaware of the programme and their roles as mediators which affected their role in a community. The community leaders also mentioned that they did not receive much support from DNUI for example, they have yet to receive more trainings after being awarded the certificate of completion, the DNUI did not refer cases or promote their role as mediators in the community as well as no monetary assistance, which hinder them from even travelling to mediate (Hanna Ambaras Khan, Nora Abdul Hak & Mohamad Akmal, 2015). Though interviews were done for the mentioned research, the challenges discussed seemed minimal. This may perhaps be due to its focus on the relationship between the mediators and DNUI and the methodology employed. Therefore this paper would further extend the previous findings by identifying and explaining theoretically all the challenges reported at all levels of analysis.

### ***The Profile of Community Mediators***

In terms of the demographic of the 139 respondents, the majority of the respondents are male (86%). It is not uncommon in communities in Malaysia to be led by male members especially in managing communal issues. Though women are allowed to partake as leaders and mediators in communities, they may be less likely to be able to join all trainings and subsequent case conference sessions due to their familial obligations and expected norms. This can be contrasted with the previous findings by Wall and Blum (1991) who found the population of mediators tend to be women.

The range of age group were well spread out with the mode of those between the ages of 50-59 (31%), followed by those between the ages of 40-49 (27%), 20-29 (20%), 30-39 (12%). There were only about 9% of the mediators who were above 60 years old. The higher number of mediators in their 40s and 50s may be due to their esteemed roles in communities. These elders are often considered as the go-to person or feel the responsibility to be involved and assist others in need within the community. They may also be those who are physically able to engage in communal activities or endure longer hours. The relatively high number of respondents within the age group of 20-29 may be due to their job roles with about 86% of them who were serving as government officers managing communities.

In terms of race, 78% of the respondents are Malay, 6.5% are Indian, 5.0% are Chinese, and 3.0% are Kadazan. Other racial categories such as Bidayuh, Idahan, Kedayan, Lundayeh, Melanau, Murut, and Rungus contributed between 0.7-1.4% for each group. The high representatives among the Malay community mediators may merely reflect the majority Malaysian population. This is in addition to the nature of mediators being predominantly among community leaders such as *Rukun Tetangga* (Resident Associate), *Persatuan Komuniti* (Community Association), and *Ketua Kampung* (Village Head) which are largely represented by the Malays.

In regards to the multiple leadership roles played, these mediators were found to engage in other associations beyond their full time job and role as community mediators. More than 70% of the respondents do held at least one additional role in other association with about 40% of them engaged between two to four associations. Though the minority, it is worth mentioning that there are four respondents who claimed to have engaged in between 5-7 associations while serving as mediators simultaneously.

### ***Challenges Faced by Community Mediators***

As mediators, the learning curve may be incremental to some and a steep trajectory to others. The whole idea behind the case conferences is as a refresher course periodically which in turn

can help develop confidence among mediators. Their challenges can also be identified and address through these sessions. However, it was reported by the mediators that the case conferences were not made compulsory and that some have requested to attend but it was denied due to budget constraint to accommodate to mediators all over Malaysia. The majority of the mediators spoken to claimed that they have only participated in 1-2 formal case conferences organized and hoped that more opportunities are given as these case conferences had really provided them the opportunity to discuss the cases better than those handled hypothetically during the four phase training. To compensate about 75% of them claimed to have merely discussed informally with other community mediators, which may not necessarily provide sound recommendations.

The challenges faced by the mediators can be discussed at agency, interpersonal and societal levels as outlined in Table 1 below.

**Table 1:** Summary of Challenges by Levels

	Frequency	Percentage
Agency Level	44	31.7
Interpersonal Level	40	28.8
Societal Level	65	46.8

*\*\* The total respondents = 139; percentage for those included within each category*

As evident in Table 1, the majority of the respondents did not report any challenges faced for each of the level. At agency level, only 32% of them reported challenges faced and at interpersonal level only 29% of them reported so. Only at the societal level, close to 50% of the respondents reported on the challenges faced. However, though not the majority, it is imperative to take note on the details of the challenges reported as any improvement of training, acceptance and functioning of community mediation can be better devised. Table 2 below summarizes the statistics of challenges by level.

**Table 2:** Details of Challenges Faced by Mediators

Societal Level	Frequency	Percentage
Society's lack of knowledge on existence and role of mediators	22	15.8
Society's lack of support, trust and acceptance towards mediators	41	29.5
Managing racial issues	2	1.4
Legal rights and jurisdiction	3	2.2
The involvement of politicians	6	4.3
No designated venue for complaint	1	0.7
Interpersonal Level	Frequency	Percentage
Limited time due to obligations	4	2.9
Familial commitments	1	0.7
Unwillingness to share and open up	6	4.3
Overlapping complaints	1	0.7
Over reliance	1	0.7
Manage others and situation	23	16.5
Confronted by criticism	5	3.6

Agency Level		
Self-doubt and confidence	7	5.0
Unequipped to resolve conflict	9	6.5
Unable to understand the issue / conflict	5	3.6
Unable to achieve amicable and fair outcomes	12	8.6
Manage self-biasness	10	7.2
Manage self-emotion	6	4.3
Conflicting religious issues	2	1.4
Perceived safety issues	2	1.4
Others	Frequency	Percentage
No Challenges	2	1.4

*\*\* The total respondents = 139; percentage for those included within each category*

### ***Societal Level***

At societal level, reports that relates to social structure as well as legal, political and communal context were considered. It was reported that almost 50% of the respondents claimed to have faced societal level challenges. According to them, one of the main challenges was the lack of support and cooperation given by members of the community and authorities which contributed close to 30% of the respondents. Such finding is also consistent with a study by Hanna Ambaras Khan, Nora Abdul Hak and Mohamad Akmal (2015).

This lack of support also include the perceived lack of trust and faith towards the mediators. Others may not think that mediators can indeed assist them in their problems or do not believe that the issues should not be brought out beyond the confines of the house, let alone to be handled by an outsider. This may also be coupled with the lack of knowledge on what exactly mediation is, what training have the mediators received and what roles can the mediators play. Quoting some of them:

*To convince the community that mediators can assist in problem solving (R61)*

*Community members are not aware of community mediators or have no trust in mediators in the country. Perhaps because of their mentality, attitude and old-fashioned thinking among the members of community especially among children from rural area. We are a long way from having an open-minded community (R64).*

*Lack of acceptance by members of community towards mediators when faced conflict. For example they will say something like "Jangan masuk campur hal rumah tangga aku"(trans: Don't interfere in my domestic matters) (R70).*

Some mediators also highlighted the involvement of political parties and authorities that also posed as a challenge while they were playing their role (5%). Since mediators were selected by the government body, such direct or indirect involvement is not surprising. Though no specific case were cited, the highlight of “the involvement of politicians” (R18, R19, R20, R33), “obstacle that stems from political influence” (R56) and “conflict due to political influence” (R64) in their responses are worth noting and researched as this may affect the outcome of the mediation process.

It has also been reported, though to a lesser extent, the nature of the conflict tends to also cause challenge to the mediators especially when the issue is racially-based (1.4%). It was also reported that it is challenge when the issues being handled is perceived to be beyond the power and jurisdiction of the mediators (2.2%). They fact that they do not have the full control or fully advise affect their confidence to manage communal issues. Lastly, one of the respondents also note that the lack of a designated physical space for the community members to come and report or to discuss their cases makes it harder for mediators to manage community conflicts. In short, societal lack of support and trust towards mediators as well as involvement by politicians, complex racial issues, legal jurisdiction and lack of physical space for managing communal conflict are among the reported challenges at societal level.

### ***Interpersonal Level***

At the interpersonal level, factors that relate to relationship and communication between people were included in this category, which accounted for about 30% of the challenges reported. About 17% of the respondents highlighted that their main challenge was their inability to manage others and the situation they were in. According to the respondents, it was more of a challenge when the conflict was among family members or close parties. This is exacerbated when the people involved do not want to resolve the conflict due to personal ego and family pride.

Organizing the meeting sessions also were highlighted as challenging since mediation requires all involved to attend the session for better outcome. A few mediators also reported that mediation session can be a challenge as people involved were emotionally charged and engaged in heated arguments. In their own words, they said:

*Unable to control the situation especially when people involved are emotionally charged (R13)*

*To gather all parties and to manage emotion of others (R35)*

*Adapting to the situation involving an argument (R110)*

Some of the mediators also mentioned about the lack of information or conflicting stories shared by the complainants. Mediators in this study claimed that it was difficult for them to mediate when full story or more conflicting issues were only raised during the mediation process. At times, the introverted nature of the complainant does not help the mediators in getting the required information that can better prepare them for mediation session. Quoting some of them:

*When we do not get accurate info and cooperation from others (R10)*

*Quiet client and not truthful in sharing the problem (R45)*

*To get the right facts (R97)*

As difficult as it is for mediators with lack of information, some mediators also claimed to be overwhelmed by too much information given by multiple complainants on the same issue while another mediator highlighted about the over reliance of community members onto mediators – coming forward for every single problem that they faced.

It was reported by 5 respondents (4%) that being confronted by criticism is a challenge that would affect the success of the mediation process, their motivation and confidence level. This criticism may come from other authorities such as other *Rukun Tetangga*, members of the society as well as the person in conflict. Some of their feedback is as follows:

*Objection from other RTs who don't believe in mediators' roles and criticism from other leaders who thinks mediators are their competitors (R3)*

*My challenge is critism and rumors by members of society (R6)*

*I feel down when receive opposition and negative view from community (R139)*

Time was also deemed as a challenge as it limits mediators to engage in mediation effectively and in a timely manner (2.9%). As mentioned above, some of the mediators have full time jobs and holds position in other committees. This is coupled with the difficulty of getting all of those

involved together for a meeting as well as mediators' personal and familiar obligations (0.7%). Hence to summarize, familial commitments and obligations, ability to manage heated situations and managing criticism as well as the unwillingness of the complainant to share and open up; overlapping complaints made and over reliance on mediators by complainant are among the challenges faced by mediators at interpersonal level.

### *Agency Level*

For agency level, personal factors experienced and perceived by the mediators were classified into this category. About 32% of the reported challenges faced by the mediators stemmed from agency level. One of the main challenges reported among was their self-doubt and lack of confidence in handling community mediation (5%). The data suggests that such self-doubt and confidence may be contributed by mediators' belief that they were not equipped with sufficient knowledge and skills to manage the case at hand (6.5%). About 3.6% of them worry that they may not understand the issues arise and this in turn may affect their confidence in achieving an amicable and fair outcomes of the mediation (8.6%).

Another relatively high category within the agency level reported was mediator ability to manage self-biasness which accounts for 7.2%. This is an important finding as one of the important essence of being a mediator is to be free from bias. Though the mediation training previously conducted spent a considerable amount of time to train within the realms of biasness, the practice, in reality this may be more difficult for some to carry out. Another challenge highlighted that much attention is needed regarding the inability of some mediators to manage their emotions (4.3%). Since often these conflicts were fuelled by negative emotions not contained by the people involved, the inability of the mediator to remain calm externally and internally would definitely affect the mediation process.

There were also two respondents (1.4%) who mentioned it was a challenge for them in mediating cases that they deemed as "dangerous" i.e. when the people involved were in possession of weapons in which they would include police officers in their mediation process. Another two respondents highlighted the difficulties in mediating issues that is religiously related. Due to the sensitivity of the issue, the mediators recognize the importance of being extra careful and sensitive in managing the mediation process. To recap, at the agency level, the challenges faced by the mediators include self-doubt and confidence perhaps due to the perception that they are unequipped to understand, resolve and provide fair outcomes. This is in addition to them struggling to manage self-biasness, manage self-emotion including managing conflicting religious issues as well as perceive safety issues in managing such conflict.

These reported findings are important as they provide a better understanding regarding factors that contribute towards the outcome of an “unsuccessful” mediation case. This study shows that the mediators have been carrying out their tasks as mediators – to manage any issues that came their way within the community. Members of the community also do acknowledge their role as the cases do reach to them to be managed. Interesting to note that some members go beyond acknowledging the role of community mediators to being highly dependent on them for every “small” issues faced in the community. This suggests that Wan Halim’s model of training the community leaders as community mediators do serve its function as envisioned but perhaps enhancement of case conferences and monitoring of the cases managed should not be taken for granted.

It is also important to be reminded that at every level of challenge, less than 50% of the mediators reported to have faced any challenges – 31.7 % at agency level, 28.8% at interpersonal level and 46.8% at societal level. Thus, the data reveals that the mediators generally feel that they are able to manage their mediation cases effectively and were able to describe their steps and processes of mediation with ease. However, though the minority, the challenges reported should not be taken lightly as the role of community mediator is a very important one that can make or break a community. Efforts and strategies needed to be taken to further support the role of community mediators, especially on the societal level challenges as such initiative is mainly the obstacle and more players to be included for the situation to be improved.

### ***Final Thoughts***

The profile and the challenges identified in this study are useful for the government to understand the “on-the-ground” mechanism and to strategize for better community living. The extent of redundancy and differentiation between various groups of community leaders will be important to ensure that their co-existence is functional rather than a competitive one as the latter would contribute further to the conflict within society and has detrimental effects on communal relationship. The challenges identified will also be useful so that enough support and resources for the community leaders to manage communal issues can be provided.

In lieu of this, case conferences should be made mandatory to mediators at least 3-4 times a year to better improve on their skills and processes as well as to better develop confidence among mediators. To date, the case conferences have not been consistent as it depends on the person-in-charge of the funding ministry as well as the mediators sent for conference session may differ from one session to the next. In fact, it is learned that the 20-step training has not been currently continued for the new batches of mediators nor has the follow up case conferences conducted in the past year. Lack of inconsistencies and further enhancement of the programme such as those recommended in this paper is arguably setting this programme to



failure and its previous effort as futile. Not providing the right setting and opportunity for this programme in general and mediators in specific definitely limits the community mediators to flourish in their roles and obligations. Any critic on the mediation set up, training provided or who the mediators are would not be a fair one as necessary improvement was not given its stage to show its fullest potential.

The author would also echo the work of previous scholars who demanded for better publicizing of the mediator's role in society – both among the authorities and the members of the community. Their role should also be positioned as a complementary one rather than a competing one. Perhaps the multiple roles should also be studied closely as that may give direction on the training of the community mediators – how to manage their various hats they wear, how to ensure that their personal judgement and biasness do not interfere in the process, be impartial and so on. The role of mediators is so important that the inability to mediate effectively would not only affect the reputation of the mediators but it would also affect the lives of the people that they mediate negatively.

By looking at the data, the author believes that the model developed and championed by Wan Halim Othman is most suited for the case of Malaysia. Efforts have shown reduction of crime cases and the majority of the community mediators were confident in their role within their own community. With the recommended suggestions above and for future researchers the author is confident that the community mediators can be strengthened as a team and to gain more trust and credibility within the society.

The fact that there was mention of political influence as a challenge to mediators is a factor that is recommended for further studies. This will be useful information to ensure that the role of mediators can be carried out without the influence of other factors that are merely compliance. Future researchers can further investigate the training contents in developing the confidence of the mediators and ensure that their agency level factors improved. The bias seems to have continued given emphasis in addition to managing self-emotion as these are imperative traits for one to conduct a meaningful mediation session. It is hoped that the mediation training project is continued but further enhanced and supported and maintained for the benefit of the nation.



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