

## The intercultural mediation: facilitate relations between immigrants and native born citizens

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### **Riassunto**

Al giorno d'oggi è necessario affrontare i problemi che sorgono in una società sempre più globalizzata, senza dimenticarsi che i conflitti, nelle società complesse e multiculturali, sono presenti e non è possibile eliminarli: diventa quindi importante imparare a gestirli nella maniera più pacifica ed efficace possibile. Ci si deve infatti confrontare con un moltiplicarsi delle forme di coabitazione e, affinché sia realizzabile un'efficace comunicazione e mediazione interculturale, è vitale che le politiche sociali e lo sforzo dei singoli individui contrastino gli effetti negativi di pregiudizi e stereotipi. I mediatori culturali hanno il compito di dare voce e visibilità ai migranti, spesso penalizzati dalla non conoscenza della lingua, dall'esclusione dei diritti di cittadinanza e da una diffusa stigmatizzazione sociale. Infatti solamente attraverso la strada della mediazione è possibile un fattivo e proficuo scambio di informazioni, una conoscenza reciproca e una reale ricomposizione dei conflitti.

### **Résumé**

De nos jours il est nécessaire de faire face aux problèmes qui naissent dans une société de plus en plus mondialisée. C'est pourquoi il faut souligner que les conflits dans des sociétés complexes et multiculturelles existent et qu'il n'est pas possible de les éliminer. Par conséquent, il est nécessaire d'apprendre comment y faire face aussi pacifiquement et efficacement que possible. Nous devons affronter différentes formes de cohabitation et, afin de développer une communication interculturelle efficace, il est nécessaire que les politiques sociales et les efforts individuels contrecarrent les effets négatifs des préjugés et des stéréotypes.

Les médiateurs culturels sont chargés de donner la visibilité et la parole aux migrants car ces derniers sont souvent entravés par des problèmes dus au manque de connaissance de la langue du pays d'accueil, à l'exclusion de la jouissance des droits reconnus à tous les citoyens et à la stigmatisation sociale.

En effet, ce n'est que par la médiation qu'il devrait être possible d'assurer un échange d'informations efficace, de renforcer la compréhension mutuelle et la résolutions des conflits.

### **Abstract**

Nowadays it is necessary to deal with problems that arise in an increasingly globalised society. For this reason, it should be pointed out that conflicts in complex and multicultural societies exist and it is not possible to eliminate them. Therefore, it becomes necessary to learn how to cope with them as peacefully and effectively as possible.

We have to deal with a proliferation of different forms of cohabitation, so in order to develop an effective intercultural communication it is necessary that social policies and individual efforts counteract the negative effects of prejudices and negative stereotypes.

Cultural mediators are responsible for giving voice and visibility to immigrants. This is because these latter are often hampered by problems related to a lack of knowledge of the language of the host country, to the exclusion of citizenship rights, to social stigma. In fact, only through mediation should it be possible to ensure an efficient exchange of information, build a mutual understanding and resolve conflicts.

**Key words:** intercultural mediation ; globalised society ; stereotypes ; immigration ; conflicts.

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## 1. Introduction.

Societies all over the world have always been marred by hatred and conflicts with heavy consequences like destruction, pain, separation. Modern society could be considered as a quarrelsome society which sees arguments as a normal way to solve disputes. Anger and arrogance along with our haughty assumption that we are always right and never wrong should lead us to the conclusion that this is not the best way to solve problems.

The effects of “mismanaged conflicts”<sup>1</sup> are clearly visible through our inability to manage conflicts in a peaceful way, which increases violence. We are talking here about the violence which takes place within families, feuding neighbours, working setting, brawling teenagers bands and the aggressiveness which breaks out at public events. As indicated by Besemer<sup>2</sup>, national governments “spend a lot of money on armaments, military programs and war funds but they do not adequately finance programs concerning nonviolent conflict resolutions”<sup>3</sup>. A number of peaceful conflict resolution mechanisms exist such as mediation, conciliation, recourse to the courts, arbitration, legal consulting, it deals with methods largely applicable to all spheres of human coexistence.

These conciliatory practices of conflict resolution assume decisive importance when considering that contemporary society is characterised by multiculturalism and multi-ethnicity and we are in the presence of growing conflicts among individuals belonging to different cultural worlds.

Solutions to these problems can only be found through reciprocal dialogue and confrontation;

that's why mediation may be a safe and valid answer, as it “activates those original processes of relationship, interaction and cultural connection that take into consideration the different points of view, language, gestures, words, meanings, and actions of the people who do not belong to the same social and cultural environment thus allowing a peaceful living”<sup>4</sup>.

The term 'migration' indicates a social phenomenon of collective aggregation involving specific movements of groups of people from one demarcated geographical area to another. Countries of arrival are confronted with the influx and residence of large numbers of foreigners and this inevitably contributes to economic and cultural transformation for the whole society. The need to facilitate the assimilation of immigrants must necessarily involve cultural integration which safeguards the specific features of the individual identity and, at the same time, promotes respect for 'otherness' in the local community.

Therefore it is necessary to pay attention to solving conflicts in overall, and specifically to those relating to cultural differences, by mediation, negotiation, conciliation strategies.

## 2. Conflicts, mediation and migration flows.

There are countless definitions of conflict because “conflict is an intrinsic part of human existence”<sup>5</sup>. However these definitions can be generally divided into two approaches. The first approach is 'action orientated' and maintains that conflict is triggered off when two parties or players (be they individuals, nations or organizations) have incompatible

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<sup>3</sup> *Ibidem*, p. 9.

<sup>4</sup> Soldati M.G., Crescini G., *Quando l'altrove è qui. Costruire spazi di mediazione culturale ed etnocentrica*, Franco Angeli, Milano, 2006, p. 20.

<sup>5</sup> Portera A., “Mediazione educativa interculturale e gestione dei conflitti”, in Catarci M., Fiorucci M., Santarone D. (edited by), *In forma mediata. Saggi sulla mediazione interculturale*, UNICOPLI, Milano, 2009, p. 105.

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<sup>1</sup> Scatolero D., “Prefazione all'edizione italiana”, in Besemer C., *Gestione dei conflitti e mediazione*, EGA, Torino, 1999, p. 5.

<sup>2</sup> Besemer C., *Gestione dei conflitti e mediazione*, EGA, Torino, 1999.

objectives. The second one the 'structural conflict' model focuses on the characteristics of the social system the parties belong to rather than on the players themselves. Arielli and Scotto report Glasl's definition whose "starting point is an action orientated approach in which «social conflict is an interaction between parties (individuals, groups, organizations, etc.) where at least one player feels an incompatibility with one or more players so that to develop frustrated feelings and perceptions which might compromise a successful social integration in the new environment”<sup>6</sup>. Thus, conflicts must involve interactions between parties. Within this relationship at least one of these parties must feel an incompatibility which must take concrete form. One party must blame the other for his inability to accomplish a social integration.

Traditionally, three essential characteristics can be distinguished with a conflictual form: a fundamental contradiction which arises from an incompatibility of purpose of the parties or an incompatibility between a requirement to satisfy needs and a social structure which frustrates them; a behaviour involving all those practical actions which the parties employ in order to exploit the conflict for their own targets and prevent their adversaries from pursuing theirs; the attitude of the involved parties which includes the perceptions, the emotions and the feelings arising from the conflict which needs to be managed. These features are evident at every level of social life in which conflicts can arise, that is to say on the micro level relating to face-to-face encounters between individuals, the meso-level - an intermediate social level in which the parties in conflict are groups or organizations and the macro level which includes the clashes that take place in

large socio-political aggregates such as societies, states and ethnic communities<sup>7</sup>.

Managing disputes at all these levels in a constructive way would be a positive development. Responses to disagreement can be managed by using a range of different methods - in a non-coercive manner via conciliation or mediation or by delegating it to a third judge as it occurs in arbitration and judicial proceedings. The technique used varies according to the type of conflict, the personalities of the involved individuals and the external circumstances.

Specifically, great importance and special relevance is given to mediation.

Mediation culturally develops and spreads in the United States in the Sixties: the movements of protest against the war in Vietnam, the students' protests, the committees in defence of civil rights and the feminist movement brought into evidence the weaknesses of the traditional legal and regulatory system thus allowing the access to alternative forms of conflict resolution. Starting from the Seventies the application of the model and mediation practices is widespread in most of the USA: it is in these years the creation of the municipal service called Neighborhood Justice Centers (NJC) which offered mediation services at low cost or free of charge services for issues concerning the neighbourhood, the conjugal or family conflicts, home and working environment. At the same time the first international efforts to mediate conflicts become active, both in the public sphere (for example art. 3 of the UN Charter considers mediation one of the ways of conflict resolution), and in the private one by the mobilization of non-governmental organizations (NGOs), often of religious nature.

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<sup>6</sup> Arielli E., Scotto G., *Conflitti e mediazione. Introduzione a una teoria generale*, B. Mondadori, Milano, 2003, p. 9.

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<sup>7</sup> *Ibidem*.

Since the Eighties even Europe tried to apply this new practice, especially in Germany and France. In Paris we quote the association *Sos-Aggressions-Conflicts* which uses mediation not only to reconstruct conflicts but also to promote, rebuild and transform social relations within a community<sup>8</sup>.

Mediation means 'mediate', 'stay in the middle', peaceful conflict resolution by means of impartial third parties accepted by both players. The latter are helped by mediators to find a solution to their problems by mutual agreement. The mediator's role is not to pronounce judgement, as a judge or an arbitrator would do, but it is rather the task of the parties in conflict - and the objective of mediation - to come to a shared solution of their dispute: "In an agreement everyone 'wins'"<sup>9</sup>. The final decision by the parties is the end product of the mediation process in which the two 'contestants' listen carefully to the mediators and express their feelings, needs and requirements. The role of the mediators is to help the parties, in a protected space, to clarify their real interests, develop mutual understanding, renew their faith and work together on a solution to their problems. The final objective of the mediation process is thus to reach an agreement which the parties sign and convert into practical action. Mediation can be used both in cases of disagreements between individuals and in group and political conflicts<sup>10</sup>.

It has been widely applied to the family context, in those home environments following separations and divorces and it is also put to profitable use in tenancy agreements and conflicts between neighbours or work colleagues. A relatively new field of application for mediation in Italy is criminal law. Here it consists of a meeting between the

victim and the perpetrator of a crime usually in the presence of one or two mediators with the dual purpose of compensating the victim for the caused harm - even symbolically - and offering the perpetrator the opportunity to say sorry: "[...] actually mediation is a process of exchange, of interaction where the victim is given the chance to meet the perpetrator of the crime as a psychological support and also as a way to obtain fair compensation for the experienced harm"<sup>11</sup>.

Another interesting field of application of mediation is in the inter-cultural context. In fact, one aspect of contemporary society is definitely the phenomenon of migration which has made national populations increasingly multi-ethnic and multicultural.

The advent of a single global market, the internationalisation of capital, the economic monopoly of the great multinationals and the constant 'economic' wars between nations have led to an imbalance in favour of certain states at the expense of others with social, demographic, political and migrational consequences<sup>12</sup>. The complexity of the migration issue cannot be neglected. In fact, "the issues relating to migratory processes should be seen in relation to extremely complex global social events which are the outcome of a frequently synergic meeting involving several factors including social, cultural, economic and psychological aspects"<sup>13</sup>.

As Roberta Bisi highlighted<sup>14</sup>, migration is thus the result of many factors underlying individual

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<sup>11</sup> Balloni A., "Prefazione", in Bisi R. (editor), *Vittimologia. Dinamiche relazionali tra vittimizzazione e mediazione*, Franco Angeli, Milano, 2004, p. 8.

<sup>12</sup> Portera A., *op.cit.*

<sup>13</sup> Scidà G., "Introduzione", in Scidà G. (editor), *I sociologi italiani e le dinamiche dei processi migratori*, Franco Angeli, Milano, 2000, p. 8.

<sup>14</sup> Bisi R., "Criminalità e flussi migratori in Emilia-Romagna", in Scidà G. (a cura di), *I sociologi italiani e le dinamiche dei processi migratori*, Franco Angeli, Milano, 2000, pp. 96-102; Bisi R., "Migrazioni e criminalità nella società globalizzata", *Rivista di Criminologia, Vittimologia e Sicurezza*,

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<sup>8</sup> Ceccatelli Gurrieri G., *Mediare culture. Nuove professioni tra comunicazione e intervento*, Carocci, Roma, 2003.

<sup>9</sup> Besemer C., *op.cit.*, p. 11.

<sup>10</sup> *Ibidem*.

decisions to leave their places of origin behind and get to foreign lands. Migration is a “social phenomenon of collective aggregation with dynamic features characterized by the movement of groups of people and family units from one demarcated geographical area to a completely different one”<sup>15</sup>. Desperation and lack of prospects for a better life in their countries of origin are often the needs that drive immigrants to set out on long difficult journeys in the hope of finding a place into the host country. It is unfortunately often the case that such hopes are dashed. The arrival of new populations in a country is obviously a social test for the host country. Host countries faced with the arrival of foreigners are forced to review all those legal questions linked to the presence of non-national populations on their territory such as, for example, regulations relating to the entrance and residence of foreigners, family social policies and work related legislation. Furthermore it is necessary to regulate not only the behaviours relating to political and legal questions but also those arising as a result of being obliged to live in close urban coexistence with individuals with different habits, lifestyles and behavioural codes. In practical terms, immigration is more a social and cultural phenomenon than an economic one and its complexities require evaluation - “immigration is a 'total social fact’”<sup>16</sup>. Proper management of the problems that an immigrant population creates cannot neglect the fact that immigrants have their own behaviour, choices and orientations. Before becoming an immigrant the individual was and remains essentially an emigrant who brings resources and information with him on his journey and his decision to leave

involves his specific personal identity, his family and his friendship networks that are often kept alive both in his country of origin and his country of arrival<sup>17</sup>.

Immigration is thus a factor in social transformation which impacts on an immense range of spheres - legal, social and economic. The various initiatives which can be undertaken in the migrant context with the objective of both solving immigrants' problems and of integrating them into society, as Augusto Balloni said<sup>18</sup>, must take the concept of responsible citizenship as their common basis. In fact it is only when the 'other person' (the one coming from a different country) is recognized as a citizen with his own rights and duties, that social and legal policies aimed at equality and real mutual partnership can be implemented. Immigrants risk being stigmatized, wrongly treated and exploited on a daily basis and such difficulties cannot be solved within inadequate or inappropriate structures or in physical and social marginalization. The practice of inter-cultural mediation fits well into the policy framework which must be employed in order to construct a truly inter-cultural society.

### **3. Dialogue between cultures and intercultural mediation.**

#### **3.1. The practice of intercultural mediation.**

The areas of development of mediation are numerous: social, family, criminal, linguistic, intercultural education. All these areas have in common the idea that “men's actions and thoughts are expressed through a dialectic among different factors that from time to time reach points of

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Vol. III - N. 3, Vol. IV – N. 1 – September 2009–April 2010, pp. 119-136.

<sup>15</sup> Bisi R., *op.cit.*, p. 120.

<sup>16</sup> Sayad A., *L'immigrazione o i paradossi dell'alterità. L'illusione del provvisorio*, Ombre corte, Verona, 2008, p.14.

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<sup>17</sup> *Ibidem*, Russo Spena M., “Le associazioni dei migranti”, in Catarci M., Fiorucci M., Santarone D. (editors), *In forma mediata. Saggi sulla mediazione interculturale*, UNICOPLI, Milano, 2009, p.105.

<sup>18</sup> Balloni A., “Prefazione”, in Fariello S., Lanna M., Palermo G., Volpe A., Zotti A., *Vittime immigrate. Esigenze*

synthesis, a partial new balance within different pressures which in their turn pave the way for further conflicts and possible further mediations”<sup>19</sup>.

The activity of mediation is in practice performed as an intermediary activity between citizens and institutions taking on also the role of reconstruction of social relations and formation of society to new knowledge and collective expertise of intercultural interactions. Therefore mediation should give a new meaning to the concept of “culture”; it does not deal of a culture that welcomes migrants but it is a culture which respects other different cultural environments<sup>20</sup>.

Therefore there is the necessity of intercultural mediation in this 'new' society characterized by the daily presence of other people with different languages and cultures. In order to create new spaces for a social integration, new structures are being put in an intermediate situation between the state policy and citizens where all citizens both the native ones and the immigrants are experiencing new forms of relationship and equal access to rights<sup>21</sup>. The creation of a sense of social cohesion has to go through cultural diversity, dialogue between individuals and groups, but also diversified and transparent procedures which consistently promote social participation. It is important that all citizens understand they have the same fundamental rights and duties and this should lead them to

dialogues and confrontations in accordance with procedures known and accepted by everyone in a shared public space, in order to build a common sense of belonging and identity: “social integration necessarily develops from sharing guarantees and protection of civil, social, and political rights: it is difficult, indeed, to imagine equal relationships among people who do not have equal rights”<sup>22</sup>.

Inter-cultural mediation takes practical form in a formally recognized space in which individuals with multidisciplinary, multi-professional, multicultural and multi-linguistic skills work through a valid cooperation to achieve awareness of their being responsible members of a community. This group has a range of objectives to fulfill relating, for example, to cultural interaction policies, acknowledgement of diversity, and to the understanding of different traditions and points of view. Within this space an important role of prime importance is given to mediators. These are individuals, (local and foreigners) with the task of “not only translating where linguistic communication proves insufficient thus promoting access to a valid understanding but also of expressing shared cultural models and establishing bonds and word exchanges revealing a multiplicity of interactions from which assumptions and cultural differences emerge”<sup>23</sup>.

The most obvious and urgent aspect that requires a practice of mediation is linked to the necessity of a communication, first of all concerning the language; however, there are also other elements that are relevant to promote an effective integration: “on the one hand, being able to build a relational-symbolic process [...] and on the other the possibility of creating a function 'educational' for both (native

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*regolative e tutela dell'identità nella società complessa*, Franco Angeli, Milano, 2011, pp. 7-12.

<sup>19</sup> Fiorucci M., “Attraversare i confini per costruire ponti. La mediazione culturale: origini, sviluppi e prospettive”, in Catarci M., Fiorucci M., Santarone D. (a cura di), *In forma mediata. Saggi sulla mediazione interculturale*, UNICOPLI, Milano, 2009, p.11.

<sup>20</sup> Villano P., Riccio B., *Culture e mediazioni*, Il Mulino, Bologna, 2008.

<sup>21</sup> Di Rosa R., “Mediazione interculturale: la cura della relazione con l'Altro. Verso una condivisione della responsabilità sociale”, *Sociologia e politiche sociali*, n. 2, Franco Angeli, Bologna, 2006, <http://www.assistentisocialisenzafrontiere.it/9%20->

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<sup>22</sup> *Ibidem*.

<sup>23</sup> Soldati M.G., Crescini G., *op.cit.*, p. 206.

people and foreigners) in respect of the difference and the promotion of public acknowledgment and protection of immigrants as people”<sup>24</sup>. The methods of mediation are different and are reflected in a continuum which proceeds from a spontaneous mediation to a rigidly formalized<sup>25</sup> one: in the first case the mediator is not a professional, he is a member of the community and he accompanies and takes care of other immigrants, providing them with the experience and knowledge he has learnt; in the other case, the mediator belongs to public or private structures and works in relation to individual or collective mediation. The mediator intervenes to remove cultural barriers that hinder communication between structures / institutions and foreign users; to improve the quality and to promote the services offered by the structures; he proposes supporting activities in situations of conflict between the foreign communities and local people; he identifies the relevant opportunities and pathways to prevent and overcome the same conflict. Mediation can also have a preventive nature in dealing with the existing conflicts in order to avoid inevitable negative effects; the preventive nature can be implemented by informing the foreigners about their rights and duties. Both social operators and immigrants should be instructed about the legal procedures involved in all the activities towards a social and successful integration. Finally, there are other functions that can be called a work of mediation: the defence and promotion of the rights and interests of immigrants; help and support to the migrant who does not have a network of relationships and traditional references; relational support and promotion of networks of relations and services; mediation in family and intergenerational conflicts.

In this globalized society it is impossible to avoid the exchange, the contact with people who have very different cultures: “It is impossible not to communicate cross-culturally, because the other is not elsewhere”<sup>26</sup>. Communication, especially the intercultural communication, appears to be the only alternative to the conflict and can work on two levels<sup>27</sup>: the situations which cover the exchange of messages and interactions present in everyday life, in institutions, in schools, in businesses. As the opportunities for intercultural contacts are more and more numerous, it is necessary to provide the tools to develop a fluid interaction avoiding misunderstandings and misconceptions in order to achieve the most efficient and satisfactory results for all the purposes related to individual situations in every educational, medical and administrative sector. It is at this level that the conditions and the meanings for intercultural competence are defined so that an individual is able to understand and recognize the different cultural identities involved in a specific situation. The second level of intercultural communication concerns the cultural assumptions that guide the practices, the frames of reference of communicative action. In this case, intercultural communication becomes an opportunity to deepen the awareness of the conditions, collecting the provocations that the difference inevitably highlights as opportunities for reflection.

However we cannot ignore the real difficulties of these processes .

We must keep in mind that mediation in general and inter-cultural mediation in particular are polysemic concepts whose multiplicity of meanings have to be externalized and can also vary according to the immigration integration policies of each host country. The mediation process and its widespread

<sup>24</sup> Di Rosa R., *op.cit.*, p. 13.

<sup>25</sup> *Ibidem*.

<sup>26</sup> Giaccardi C., *La comunicazione interculturale*, il Mulino, Bologna, 2005, p. 13.

use can represent attempts to facilitate the foreigners' integration by reducing the relevant differences. Mediation must thus be "inter-cultural to the extent that its purpose is not to neutralize all tensions but to create a border area in which the differences among people can be respected and understood."<sup>28</sup> It is unfortunately true that our initial experiences in cultural mediation implemented in the years when the first migration movements were seen as an emergency to be managed, involved its use as a tool to face the conflicts and clashes between cultures rather than to promote a social integration. In this case the acknowledgement of the difference was used in a way which brought to the marginalization of the 'other person (the foreigner)'<sup>29</sup>.

In addition, a biased mediator could influence the final decision favoring a solution rather than a common agreement: mediation can play a fundamental and delicate role in managing the relationships with people.

### 3.2. The mediator.

The mediator is the professional who acts as a link between immigrants and workers in the institutions of the host society, fostering mutual knowledge, managing conflicts between the parties, facilitating communication and integration and acting in a neutral and equidistant way between the parties.

He is symbolically a "bridge" between the host society and the origin society of the foreigner, with the aim of removing the cultural and language barriers, he promotes the acceptance and socio-

economic integration, he directs immigrants in the use and enjoyment of the public and private services, informing them about their rights and duties. He works in all situations of communication difficulties and / or understanding between people of different cultures, in order to clear up misunderstandings or potential conflicts due to a different coding system and cultural values. The mediator is an instrument of social inclusion and can operate in different areas, such as health environment, social and educational sectors, security, public administration and business.

In Italy, there is no a formalized definition concerning the mediator's role from the legal point of view<sup>30</sup>. However it is clear that a mediator must have the ability to communicate and the ability to build relationships. A central aspect is the mediator's inter-cultural understanding in building a relationship. Moreover he should have those professional skills able to manage and understand

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<sup>30</sup> Unfortunately, the mediator is yet an undefined professional. National legislation gives the formal existence with the Law of 6 March 1998, n. 40: "Regulations governing immigration and the status of foreigners", better known as Turco-Napolitano Law, implemented in Legislative Decree 25 July 1998, n. 286: "Consolidated Text of provisions governing immigration and the status of foreigners", which refers to the cultural mediator, attributing an active role in the social integration of minorities, without, however, fall further in detail. Article. 42 in fact provides, in paragraph 1, point d): "The State, Regions, Provinces and Municipalities within its competence, in collaboration with associations of foreigners and organizations stably operating in their favor, as well as in collaboration with the authorities or with public and private institutions in the countries of origin, favor [...] the implementation of agreements with associations regularly entered in the register referred to in paragraph 2, for use within its facilities to foreign holders of residence card or residence permit of a duration not less than two years, acting as mediators in order to *facilitate* the relationship between the individual administrations and foreigners belonging to different ethnic, national, linguistic and religious". Beyond, however, the provision of law, cultural mediation and is developed in a way almost inevitable at the level of local authorities; regions and municipalities, in fact, are often activated by specific legislation and initiatives.

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<sup>27</sup> *Ibidem*.

<sup>28</sup> Di Rosa R., "Mediazione interculturale: la cura della relazione con l'Altro. Verso una condivisione della responsabilità sociale", *Sociologia e politiche sociali*, no. 2, Franco Angeli, Bologna, 2006, <http://www.assistentsocialisenzafrofrontiere.it/9%20-%20Articolo%20mediazione%20relazione%20R.%20Di%20Rosa.pdf>, p. 14.

<sup>29</sup> *Ibidem*.



the human aspects regulating the difficulties of social relationships”<sup>31</sup>.

A mediator must be empathic, which means he can understand the needs of the parties in the game. Each mediator can help to understand the various relationships giving the necessary emotional support which respects the emotional experiences in a positive way. He must be credible and reliable in order to facilitate the problems solution. It is essential that a mediator creates a climate of mutual collaboration maintaining his impartiality. He listens to all opinions in a neutral attitude and he does not judge the parties thus establishing his authority. In intercultural relations, a mediator must remember that communication is not only carried out through words, but also through all those elements of non-verbal communication such as tone, posture, facial expressions and emotions. A mediator, as professional, must protect the confidentiality and ensure the discretion of what he hears and learns during the talks and conversation with the involved people<sup>32</sup>.

The relationship is an essential aspect of the mediation and it is interesting to investigate the weakness and the strength of the links that are established between the mediator, the relevant users and the involved service operators<sup>33</sup>. A strong bond requires regular attendance, an emotional involvement and a mutual exchange of attention. The weakness of the implied links (in both directions) represents the best condition to implement a successful mediation because the mediator's role is to communicate with a large number of people and to give information to a growing number of users. “The strength of these relationships lies in the difficult ability of meeting

the desires and expectations of people coming from very different social and cultural environments”<sup>34</sup>.

The use of this complex practice cannot be improvised and it requires a special preparation and an educational training in order to go beyond cultural stereotypes and to facilitate a real dialogue between cultures. In fact all the people involved in mediation must support cultural and social assistance as well as psychological and personal assistance rather than a merely linguistic help. So it is important to include a specific training which promotes awareness of the real nature of the relationship between the mediator, the migrant and the local and native people. “The task of the mediators' training is that of providing skills for managing a difficult social integration among groups of people coming from completely different cultural environments characterised by psychological and behavioural variables tied to the history of their different countries and environments”<sup>35</sup>.

### 3.3. Cultural Mediation and Security.

The phenomenon of crime is one of the issues emerging when we talk about immigration. It can be stated that groups of foreign immigrants have become a source of insecurity and suspicion: “feelings of fear and diffidence connected to the presence of foreigners, particularly in urban areas, have increased tensions onto the immigrant-resident relationship to the extent that it now represents a crucial issue within the already complex question of ethnic relationships and law and order emergency”<sup>36</sup>. Immigrants bring new values,

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<sup>34</sup> *Ibidem*, p. 156.

<sup>35</sup> Aluffi Pentini A., “Mediare le donne: la mediazione in una prospettiva di genere”, in Catarci M., Fiorucci M., Santarone D. (a cura di), *In forma mediata. Saggi sulla mediazione interculturale*, UNICOPLI, Milano, 2009, p.56.

<sup>36</sup> Landuzzi C., “Immigrazioni e insicurezza urbana”, in Scidà G. (editor), *I sociologi italiani e le dinamiche dei processi migratori*, Franco Angeli, Milano, 2000, p. 58.

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<sup>31</sup> Tarozi M., in Villano P., Riccio B., *op.cit.*, p. 94.

<sup>32</sup> Villano P., Riccio B., *op.cit.*

<sup>33</sup> Balsamo F., *Famiglie di migranti. Trasformazioni dei ruoli e mediazione culturale*, Carocci, Roma, 2003.

attitudes, cultural traits and behaviours which are very different from those of the new country they are living in. If deviance can be defined as the breaking point in expectations linked to the shared social conventions of a group<sup>37</sup> then the 'other', the different person appears deviant.

Press reports associating migration with crime are a daily event and this certainly contributes to develop panic and fear which are not corroborated by research or statistics.

Many statistics and research, both nationally and internationally<sup>38</sup> show that the increase of crime did not occur proportionally to the increase of population and the crime rate appears to be similar both among Italians and foreigners. The number of complaints against foreigners is very small compared to the increase of their presence, so it is not correct to establish a close correspondence between crime and immigration. In addition, the crime rate due to immigrants is lower than that observed in an already resident population: a comparison between the crime of the Italians and that of the foreigners has helped to conclude that Italians and foreigners have a similar crime rate.

Referring to the type of crime committed by immigrants accused and put in prison for minor crimes, it has been established that it did not deal with severe crimes. Moreover most of these crimes are closely linked to their status as illegal or irregular immigrants such as, for example, violations of immigration laws, offenses related to false statements of identity, resisting arrest.

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<sup>37</sup> Sbraccia A., *Migranti tra mobilità e carcere. Storie di vita e processi di criminalizzazione*, Franco Angeli, Milano, 2007.

<sup>38</sup><http://www.dossierimmigrazione.it/>;  
<http://www.cnel.it/>;  
[http://efus.eu/files/fileadmin/efus/pdf/INTI2004-Immigration\\_EN.pdf](http://efus.eu/files/fileadmin/efus/pdf/INTI2004-Immigration_EN.pdf);  
[http://sobel.colorado.edu/~fitzgej/Fitzgerald\\_CPS\\_per.pdf](http://sobel.colorado.edu/~fitzgej/Fitzgerald_CPS_per.pdf);  
[http://www.caritas.it/home\\_page/tutti\\_i\\_temi/00000404\\_Dossier\\_Statistico\\_Immigrazione.html](http://www.caritas.it/home_page/tutti_i_temi/00000404_Dossier_Statistico_Immigrazione.html)

Therefore it is clear that immigrants committing crimes should not act as scapegoats for the social problems experienced by local common citizens. As a consequence this interpretative framework should not induce us to 'lower our guard' but should help us overcome our preconceived ideas so that to offer a greater attention towards investments concerning prevention activities and rehabilitation involving the leaders of immigrant groups<sup>39</sup>.

This is also demonstrated by the "Immigration and Prevention manual. A Training Manual for Local Actors"<sup>40</sup> supplied by EFUS – the European Forum on Urban Security - reporting that the statistical data indicating high crime rates among immigrant populations ignore a range of factors. This is a reference to the fact that the relevant statistics often includes violations of the law which can only be committed by immigrants and not by native residents. Moreover the immigrant population is primarily young and male and it is well known that the majority of the crimes are committed by this category of people. As a rule immigrants also live in houses and flats in densely populated areas where more crimes are committed in comparison with rural areas. These are more frequently controlled by police inspections and therefore police reports are more frequently filed against immigrants than against local criminals. Eventually the negative effects of immigration on family ties are not taken into account: the 'dream of returning' and the lack of parental support can create situations of extreme social difficulty. And the same can be said for the media which often report the crimes committed by immigrants (or by the children of immigrants) as a direct consequence of migration flows. In this case too, a number of problems faced by immigrants

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<sup>39</sup> Fariello S., Lanna M., Palermo G., Volpe A., Zotti A., *op.cit.*

<sup>40</sup> [http://efus.eu/files/fileadmin/efus/pdf/INTI2004-Immigration\\_EN.pdf](http://efus.eu/files/fileadmin/efus/pdf/INTI2004-Immigration_EN.pdf)

should not be underestimated: difficult financial circumstances, school integration problems, social life, health conditions and welfare systems which affect the poorest social classes.

The perception of the emergency could probably depend on the greater visibility concerning the foreign crime as compared with the Italian crime. It cannot be denied that crimes related to specific situations, such as street drug trafficking, bag snatching and prostitution, are the prerogative of immigrants. We mean to speak about all those crimes which impact on our perceptions of safety in our cities. Factors which expose foreigners to greater risk of police checks, arrests and imprisonment cannot be underestimated either. In fact, most immigrants are in prison as a preventive measure because of their inability to indicate a residential address. Finally it must be noted the frequently subconscious tendency of police officers to direct their attention to foreigners during routine checks.<sup>41</sup> If a specific social group - in this case immigrants - is subject to more frequent checks by the law and order authorities, the crime rate will be clearly higher.

The help of mediation in these situations of emergency and safety is becoming more and more imperative in order to decrease the feeling of insecurity in the Italian population, which could add more tension inside local communities. There are also risk factors that contribute to cause criminal activities like illegal immigration, poverty, difficulties in entering the world of work, which can lead to a condition of victimization, often submerged.

There are different types of circumstances related to the security sector, within which a mediator can provide vital support<sup>42</sup>. It may refer to situations,

even in emergency, occurring inside police stations and offices of the State Police in particular in the offices set up at the border: it is of vital importance the helpful intervention of staff who can take charge of language assistance services and cultural mediation, guidance services for socio-legal information and documentation; even the administrative type activities as a legal assistance, allow the mediator to act as a bridge between immigrants and institutions. The mediator may provide a realistic possibility for the victim to escape the world of crime in relation to the offenses concerning illegal immigration. The figure of the mediator is essential not only in these situations but for the same reasons, even at the CIE, Identification and Expulsion Centres. Finally, it is necessary to promote the introduction of the mediator inside prisons, in particular to help minors in order to respond to the needs of foreign prisoners, men and women, and to facilitate their access to rights. In fact, inside prisons it is necessary to provide communication paths to facilitate the necessary information, to provide legal information thus creating an area of psychological and social support in order to facilitate the access of foreign prisoners to their legal rights.

#### 4. Conclusions.

Nowadays it is necessary to deal with the problems deriving from the fact that our society is more and more globalized without forgetting that conflicts in complex and multicultural society are present and it is not possible to delete them<sup>43</sup>.

Therefore, it becomes necessary to learn how to handle them in the most peaceful and effective ways. Within a state of hostility, anger and feelings of injustice in which citizens often find themselves,

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<sup>41</sup> *Ibidem*.

<sup>42</sup> Maffei F., "La mediazione linguistico-culturale e aspetti di sicurezza", in Miller D.R., Pano A. (a cura di), *La*

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*geografia della mediazione linguistico-culturale*, Dupress, Bologna, 2010, pp. 153-169.

it is important to pay attention and implement all those techniques able to give an answer to the various problems through a peaceful and humane manner. Mediation does not only aim at facing conflicts<sup>44</sup> but it also intends to recognize that conflicts exist and that they are always present in human relations.

Nowadays within this perspective, mediation is particularly important among people belonging to different cultures. We have to face with a proliferation of forms of cohabitation and in order to develop an effective intercultural communication it is necessary that social policies and efforts of individuals tend to contrast the negative effects of prejudice and stereotyping. It is also important to implement an intercultural sensitivity<sup>45</sup> that can detect cultural differences along with the willingness to respect people belonging to different environments.

The complexity related to remarkable changes in economic, demographic, social and cultural policies, typical of a globalized society, is strongly needed for new paradigms, to know and to understand this new reality. Mediation is gradually emerging in these condition, particularly the cultural mediation which occurs in an infinite number of potentially conflicting situations: “the widespread institutional necessity, the ability to face real problems of immigrants require the implementation of mediation activities”<sup>46</sup>. Cultural mediators have the task to give voice and visibility to these new social actors penalized by the fact of not speaking the language of the host country and by not having the rights of citizenship. So only through the path of

mediation we can have an effective and fruitful exchange of information, mutual understanding and a positive conflict reconstruction.

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<sup>43</sup> Portera A., *op.cit.*

<sup>44</sup> Carocci L., Antolini A. (a cura di), *Sogni e conflitti. Mediazione sociale e sicurezza urbana partecipata per una città (che) si-cura*, EGA Editore, Torino, 2007.

<sup>45</sup> Mucchi Faina A., *Comunicazione interculturale. Il punto di vista psicologico-sociale*, Edizioni Laterza, Roma, 2006.

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