

Community Mediation Around the World: A Comparative Analysis and Typology of Institutional Models

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Abstract: Community mediation is one of the most widespread and, at the same time, one of the least standardized institutions for conflict resolution. Under a common label, charitable organizations without a legal basis, statutory commissions with binding authority, municipal social policy services, donor-funded networks, and customary forums coexist. This article compares these configurations through a multi-case documentary study, following the tradition of structured and focused comparison. Twenty-four models from nine regions are described according to eight criteria derived from five theoretical perspectives: the sociology of the movement's origins, Christie's thesis on conflict as property, the theory of co-optation, the critique of informal justice, and the cultural roots of the practice. The models converge on a narrow core (a third party without decision-making power, local delivery, legitimacy derived from the community, free access, justification that transcends the individual case, and dependence on institutional referral) and diverge on dimensions relevant to design: the source of funding, the mandatory nature of participation, the enforceability of the agreement, the mediator's status, the scope of the mandate, and the degree of state involvement. This yields a typology of six types, ordered according to the source of legitimacy and funding, with the degree

of legalization serving as a descriptive dimension. The evidence is mixed: agreement and satisfaction rates are high across the board; participation is low wherever it is voluntary; the effects on conflict recurrence are demonstrated in few studies; and the effects on community cohesion remain unproven. Sustainable implementations have re-anchored the imported model within a local institution already trusted by the community and have adapted the mediator's role to the population's expectations.

Keywords: Community mediation, comparative analysis, typology, informal justice, institutional transfer.

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1. Introduction

Over the past five decades, the idea that trained community members can help their neighbors resolve everyday conflicts without resorting to the courts has expanded from a few experimental programs in North American cities to national systems in Asia, municipal services in Western Europe, donor-funded networks in post-conflict states, and statutory forums at the village level in Africa. Shonholtz (2000), one of the movement's founders, described what had been a radical concept in the mid-1970s as something "taken for granted today" (p. 331).

However, behind the common name, the institutional arrangements are diverse. In Sri Lanka, mediation commissions are statutory bodies coordinated by the Ministry of Justice and represent a mandatory pre-litigation step for a list of offenses (Jayasundere, 2011). In the United Kingdom, community mediation has no legal basis and is provided by charitable organizations that compete for contracts with local authorities (Liebmann, 1998). In the Netherlands, neighborhood mediation is a municipal social welfare service run by volunteers. In France, social mediation is a paid, state-subsidized profession with a national standard. In China, people's mediation is a mass-based institution with approximately 700,000 committees and over three million mediators (Ministry of Justice of the People's Republic of China, 2023). Therefore, speaking of a "model" of community mediation is misleading: the models differ precisely on the aspects that are essential for anyone wishing to design such a system—who funds it, who mediates, how cases are referred, what legal effect the agreements have, and what the purpose of the institution is.

The literature reflects this asymmetry in several ways. American studies are incomparably more numerous than any others, and the existing typologies (Wahrhaftig, 1982; Shonholtz, 2000; Almeida, 2014; Natividad, 2023) each start from a single dimension and the assumptions of a single institutional context. What is lacking is a comparison that treats American, European, Asian, Latin American, and African cases according to the same criteria and derive a classification applicable to the entire family of institutions.

This article addresses this gap with three objectives: first, a descriptive objective—presenting the main configurations of community mediation based on verifiable sources; second, an analytical objective—systematically comparing them against an explicit set of criteria so that convergences and divergences are identified, not merely stated; and third, a synthetic objective—deriving a typology and identifying common, distinguishing, and specific elements of community mediation. The research question is twofold: in what ways do existing models resemble one another, and in what ways do they differ? What does the available evidence reveal about their effectiveness? Sections 2–4 present the theoretical framework, methodology, and origins of the institution; Sections 5–7 present the regional overview, comparative analysis, and typology; and Sections 8–11 present the evidence review, critical perspectives, implications for design, and conclusions.

2. Conceptual and Theoretical Framework

Five theoretical perspectives were used to structure the comparison. The first is the sociology of the origins of the movement. Harrington and Merry (1988) identified three competing ideological projects vying for “ownership” of community mediation: a project focused on providing dispute resolution services, driven by efficiency and Sander’s principle of adapting the forum to the problem; a project of social transformation, oriented toward community empowerment and neighborhood self-governance; and a project of personal development with a therapeutic orientation. The distinction between the path of court reform and community empowerment has become the standard historiography of the field (Bradley & Smith, 2000; Hedeén & Coy, 2000; Shonholtz, 2000), and this same tension reappears in nearly every national context.

Second, Christie (1977) argues that conflicts are a resource that professionals have “stolen” from their rightful owners, and that their management by laypeople at the local level is a value in itself. The essay is the recognized source of the Nordic preference for lay mediators (Mørland, 2000; Ervasti, 2018).

The third perspective is the theory of institutional co-optation. Coy and Hedeén (2005) developed a four-stage model: initiation, adoption of language, techniques, and participation; assimilation of leaders; transformation of objectives; followed by regulation. The model explains how a movement conceived as an alternative to the courts came to depend on them for cases, funding, and legitimacy; the slogan that “form follows funding” expresses the same dynamic (Hedeén & Coy, 2000). It complements Dukes’ (1996) distinction between managerial and transformative orientations.

The fourth perspective is the critical literature on informal justice. Abel (1982) argued that informalism extends state control even though it appears to reduce it; Nader (1990) analyzed the “ideology of harmony” as a pacification technique; Fiss (1984) opposed settlement by agreement on constitutional grounds, while Delgado et al. (1985) and Grillo (1991) demonstrated how the lack of formality exposes minorities and women to prejudice and power imbalances. Pavlich (1996) and Mulcahy (2000) reframed the debate in Foucauldian terms: community mediation is not merely an extension of state control, but a technique of government in which mediators serve as messengers between the state and residents. This literature provides the critical criteria (coercion, second-order justice, gender, and power) against which each model is evaluated.

The fifth perspective concerns the practice’s cultural roots. Merry (1982) established that in nonindustrial societies, effective mediators are insiders with social authority and a stake in the outcome, not neutral outsiders. Wehr and Lederach (1991) generalized this idea by contrasting the “external-neutral” mediator of the North American model with the “internal-biased” mediator, whom the parties trust precisely because of his or her connections. Studies by Wall and his collaborators show that the mediator’s behavior varies systematically with culture and institutional position (Wall & Blum, 1991; Wall & Callister, 1999; Wall et al., 2010).

The concept of social capital underlies all of these. The claim that community mediation “builds community,” enhancing collective efficacy and civic participation (Putnam, 2000), is the field’s most powerful and least tested assertion. Hedeén (2004) observed that the indicators currently in use do not capture the movement’s broader objectives, and the only rigorous test—the study of the San Francisco Community Councils—found that the program created a sense of community more for its volunteers than for its service users (Merry & Milner, 1993). Therefore, the comparison treats community building as a hypothesis to be tested, not as a defining attribute.

3. Methodology

3.1. Research Strategy and Case Selection

This study is a multi-case documentary comparison. The unit of analysis is the model: an institutional configuration identifiable at the national or regional level, characterized by a legal basis (or the absence thereof), a host institution, a funding mechanism, a mediator profile, a case intake process, and a stated purpose. Cases were selected based on three criteria: coverage of the main regions where the institution exists, so that the typology is not an extrapolation from the American experience; the availability of at least one substantial and verifiable source describing the institutional structure and, preferably, providing quantitative data; and theoretical relevance, in the sense that a case illustrates a distinct configuration or trajectory (co-optation, decline, hybridization).

Methodologically, the study applies a structured and focused comparison in the sense defined by George and Bennett (2005): structured because each case is described using the same set of eight criteria formulated as standardized questions; focused because only variables related to institutional design are considered. No formalized qualitative comparative analysis (QCA) was used, nor was a selection based on “most similar” or “most different” cases, since the objective is to inventory and typologize a family of institutions—which requires breadth—rather than to isolate a causal relationship. However, this comes at a cost, as the descriptions are based on secondary sources. In terms of policy transfer, this study follows Rose’s (1991) approach to drawing lessons.

The dataset includes 40 countries from nine regions. Twenty-four models are fully coded according to the eight criteria (Table 2); the cases described briefly (including Canada, Finland, Sweden, Italy, Greece, Cyprus, India, Indonesia, Argentina, South Africa, and New Zealand) are partially coded and used as illustrations, not as evidence. The selection based on the availability of sources favors well-documented cases, often those that are sustainable; the conclusions are therefore formulated for the cases analyzed, not for community mediation “in general.”

3.2. Sources

Three sets of materials were used: a corpus of approximately 90 primary and secondary sources; a proprietary bibliographic database with over 1,000 entries; and targeted searches in academic databases and on institutional websites (ministries of justice, national mediation networks) to update the descriptions to the most recent year available. The compilation of the corpus followed, in simplified terms, the PRISMA methodology: identification through keyword searches in the main languages of the field, supplemented by tracking citations from reference monographs (Merry & Milner, 1993; Liebmann, 1998); selection of sources describing the institutional structure of a model, excluding those dealing exclusively with judicial, family, or commercial mediation; and evaluation of quality based on four criteria (peer review or institutional accountability, transparency of the method, date, and independence from the organization managing the program). Sources that do not fully meet these criteria (two unpublished student papers, the most comprehensive descriptions for Oceania and South Africa, and several articles from less-established journals) are used solely for illustrative purposes, to provide descriptive facts verified, where possible, through institutional sources. No conclusion is based exclusively on them.

3.3. Comparison Criteria

Eight criteria structure the description of each model and the comparative analysis. They were derived inductively from the literature (the characteristics of the National Association for Community Mediation (NAFCM), the framework by Almeida et al., 2014, and the analysis by Natividad, 2023) and deductively from the five theoretical perspectives, to which social capital is added as a hypothesis to be tested (Table 1).

3.4. Limitations

Four limitations should be noted. Comparability: the cases vary enormously in scale—from a Swiss association handling 25 cases per year to a Chinese system handling over 10 million—and in terms of what “resolution” means, so the quantitative benchmarks are indicative. Temporal validity: some of the most detailed accounts (Liebmann, 1998; Merry & Milner, 1993; Peper & Spierings, 1999) describe institutions at a specific point in time; where possible, the description is updated, and where not, the date is specified. Asymmetry of sources: the American literature is incomparably richer; this risk is mitigated by structuring the comparison around criteria rather than the American case. The author’s role is that of a documentary researcher, not a field researcher. Added to this is a bias toward long-standing cases and the partial coding of cases described only briefly.

Table 1. Comparison Criteria

Criterion	Guiding Questions	Theoretical Basis
1. Legal Basis	Is there a law that establishes or recognizes the institution and defines the mediator's jurisdiction, procedures, or status?	Co-optation and juridification (Coy & Hedeem, 2005; Abel, 1982)
2. Relationship with the State and the Courts	Is the service independent, attached to the courts, or administered by a ministry or local authority? What proportion of cases are from the judicial system? Is mediation mandatory?	Co-optation (Coy & Hedeem, 2005); managerial vs. transformative (Dukes, 1996)
3. Host and Funding	Who sponsors and pays for it? How stable is funding?	"Form follows funding" (Hedeem & Coy, 2000)
4. Mediators	Volunteers, laypeople, paraprofessionals, or professionals? How much training? Do they belong to the community of the parties involved?	Christie (1977); "partially internal" vs. "external and neutral" (Merry, 1982; Wehr & Lederach, 1991)
5. Referral and Types of Cases	What disputes are eligible, and how do cases come in (self-referral, agencies, police, courts)?	Dependence on referrals (Coy & Hedeem, 2005); Abel (1982)
6. The Process and Enforceability	Facilitative, evaluative, mediation-arbitration, or customary deliberation? Are the agreements enforceable?	Coercion and power imbalance (Nader, 1990; Grillo, 1991)
7. Outcomes and Evaluation	What is known about volume, resolution, compliance with agreements, satisfaction, and broader effects?	Social capital as a hypothesis (Hedeem, 2004; Merry & Milner, 1993)
8. Socio-Political Context and Purpose	What problems does the institution need to solve?	Ideological projects (Harrington & Merry, 1988)

4. Historical Origins and International Spread

Organized community mediation was invented in the 1970s, but the practice on which it is based is ancient and nearly universal. Several of the models examined directly continue practices documented by Merry (1982): the village chief in Malaysia has been administering disputes for centuries (Wall & Callister, 1999); the *shalish* in Bangladesh was still handling 60–70% of rural disputes in 2009 (Natividad, 2023); and Chinese mediation has its roots in Confucian ideology (Ali, 2013). Europe experienced lay conciliation long before modern mediation: the conciliation commissions established by the Danish Crown in 1795 still operate today in Norway with lay members (Nylund et al., 2018; Ervasti, 2018). This historical background explains why the modern institution was often grafted onto an existing lay forum and why the imported "neutral and external" model so often underwent changes upon arrival.

The contemporary field emerged in the United States between 1969 and 1981 from two distinct origins. One root lies in the social movements of the 1960s, for which Danzig's (1973) proposal for a decentralized criminal justice system provided the intellectual foundation (Hedeen & Coy, 2000; Harrington & Merry, 1988). The other root lies in court reform: the first court-affiliated programs (Bradley & Smith, 2000) and the 1976 Pound Conference, at which Sander (1976) proposed the "multi-door court" (Coy & Hedeen, 2005). At the same time, the community movement created its own institutions, most notably the Community Councils in San Francisco, founded by Shonholtz in 1976–1977 based on Alinsky's model of neighborhood organization (Shonholtz, 2000). By 1998, there were approximately 650 programs (Hedeen & Coy, 2000).

The model spread in three waves. The first wave, in the early 1980s, reached the English-speaking world through personal visits and demonstration projects: New South Wales opened three centers in 1981 and made them permanent through the Community Justice Centres Act of 1983, the first legislative framework for community mediation in the Western world (Grange, 2014); in the United Kingdom, American and Australian visitors, along with Quaker courses in Philadelphia, laid the groundwork for the first services in 1984–1985 (Liebmann, 1998); the first Norwegian project (1981) and the Finnish experiment (1983) belong to the same wave (Ervasti, 2018). The second wave, beginning in the 1990s, reached Asia and continental Europe through legislation and study missions: In 1988, Sri Lanka established by law the first national system of mediation commissions in South Asia (Jayasundere, 2011); Singapore enacted legislation establishing community mediation centers in 1998 (Khan, 2013); the Netherlands explicitly adopted the San Francisco model in 1996 (Peper & Spierings, 1999); Colombia enshrined community conciliation in its constitution in 1991 (Pathfinders for Peaceful, Just and Inclusive Societies, 2023). The third wave, after 2000, was driven by development agencies and post-conflict reconstruction: The Asia Foundation in Nepal starting in 2002 (McGrew, 2013), USAID in Afghanistan, Uganda, and Colombia; the Madaripur model replicated in Malawi (Natividad, 2023); the *abunzi* committees legislated in Rwanda in 2006 (Mutisi, 2011); and European projects that resulted in the Coimbra manual (Almeida et al., 2014).

This spread did not entail a uniform replication. Three patterns were observed. Imported models were re-anchored within national structures: social services in the Netherlands, ministries of justice in Singapore and Sri Lanka, village committees in Nepal, and the administrative hierarchy in Rwanda. The premise of a neutral outsider was frequently abandoned in favor of authoritative figures within the community (local leaders in Singapore, appointed members in Sri Lanka, and elders and religious leaders in Uganda and Malaysia), consistent with the finding by Wall et al. (2010) that neutrality and confidentiality can be perceived as foreign and ineffective practices. The functions assigned to the institution varied by context: reducing court caseloads in Sri Lanka and Singapore, social cohesion in the United Kingdom and the Netherlands, integration of migrants in Italy, Portugal, and Ecuador, reconciliation in Nepal, Rwanda, and Cyprus, and "social harmony" in China.

5. Regional Overview of Models

5.1. The United States

The United States encompasses, within a single country, nearly the entire range of models found elsewhere. In 2011, the field included approximately 400 centers, 20,000 volunteer mediators, and 400,000 cases referred annually; three-quarters of the centers were independent nonprofit organizations with average budgets of approximately \$215,000, and only 0.9% are formally affiliated with the courts (Charkoudian & Bilick, 2015). There is no federal law; funding is organized in 16 states through surcharges on civil case filing fees or through allocations administered by the judicial system (Jeghelian et al., 2011). The defining feature of the model is its reliance on the courts: the share of court referrals rose from 44% in 1998 to 55% in 2014, with an additional 12% coming from the police and prosecutors' offices, so that only about 10% of cases come directly from the community, and neighborhood disputes account for only 4.3% of mediated cases (Hedeen & Coy, 2000; Charkoudian & Bilick, 2015). A program director's assessment has become the field's motto: "We didn't create an alternative to the courts. We have become an alternative to the courtroom" (Beer, 1986, p. 206). The volunteer corps is not representative: 85% are white and 72% have a college education, compared to 64% and 11% in the general population (Charkoudian & Bilick, 2015). The American trajectory can be interpreted as institutionalization through partial co-optation (Coy & Hedeen, 2005).

5.2. The United Kingdom and Ireland

The British model is the clearest example of community mediation focused on disputes between neighbors, carried out by the nonprofit sector without a legal basis. The first services were established in 1984–1985 by Anglican and Quaker clergy, and the coordinating body, Mediation UK, which had grown to 97 community services by 1997, went into liquidation in 2006–2007 (Liebmann, 1998). The economic rationale is clear: 823 pounds to evict a tenant, compared to 250–300 pounds for mediation. The predominant model is a charitable organization with a paid coordinator and volunteers; funding has shifted from grants to contracts for a predetermined number of cases (Liebmann, 1998; Simmonds, 2001). The national evaluation in Sheffield found that environmental protection departments referred less than 2% of noise complaints to mediation and that only 27% of accepted cases resulted in face-to-face mediation, while 40% resulted in shuttle mediation (Dignan, 1998). The British literature is characterized by sociological skepticism: Mulcahy (2000) showed that housing officials sent letters containing eviction clauses before referring the case to mediation, so that state coercion looms as a shadow over the sessions, and Liebmann (1998) concluded her book with an unresolved dilemma: if mediation is state-funded, does it become an agent of the state?

5.3. The Nordic Countries

The Nordic countries offer a model in which community-based mediation is provided by a public service established by law, staffed by lay volunteers, reflecting both the tradition of conciliation commissions and the direct influence of Christie (1977). The Norwegian Konfliktråd, established by law in 1991 and administered by the Ministry of Justice, is a free and voluntary service offered in all municipalities, handling approximately 7,500 cases per year, divided almost equally between civil and criminal matters; mediators are laypeople who receive modest compensation and often work in pairs (Rasmussen, 2018; Ervasti, 2018). Mørland (2000), however, warned that pressure to handle a high caseload could turn mediation into an additional court. Since 2007, Sweden has required municipalities to offer mediation to offenders under the age of 21, but the number of municipalities offering such services has fallen from 252 in 2008 to 181 in 2015–2016, and 70% of the offices employ professionals (Jacobsson et al., 2018). The Nordic example shows that a state-run service can maintain its secular, voluntary, and free nature while still being subject to professionalization and decline.

5.4. Western and Southern Continental Europe

Continental Europe has not adopted the model of the independent center but has integrated the mediation of everyday conflicts into municipal social policy, housing management, and the work of the public prosecutor's office. France illustrates two of the three profiles proposed by the Coimbra group (Almeida, 2014). *The Maisons de justice et du droit* (MJD), established in 1990 at the initiative of the public prosecutor's offices, increased criminal mediation from 10,000 to 40,000 cases between 1992 and 1996, but power remained in the hands of the public prosecutor's office, hence the nickname "les Maisons du Parquet" (Crawford, 2000). *Social mediation*, which emerged in public housing in the mid-1990s and was codified through an AFNOR standard, has 3,201 mediators, 70% of whom have state-subsidized contracts and only 22% of whom are certified in mediation (France Médiation, 2024).

The Dutch model of "*buurtbemiddeling*" is the closest European equivalent to the American volunteer-based center and the most socially integrated. The model, developed from experiments conducted in 1996 (Peper & Spierings, 1999), is standardized: the municipality and housing associations fund a program coordinated by a social services organization, with volunteers working in pairs, while a national center owns the methodology and certifies the programs. In 2015, 231 municipalities received over 12,000 cases, 70% of which were resolved (Binnenlands Bestuur, 2016); coverage reached 93% of municipalities (Center for Crime Prevention and Safety (CCPS), n.d.).

Germany does not have a community mediation movement. The functional equivalent is the lay conciliator of the municipal Schiedsamt, a 19th-century institution revived by § 15a EGZPO (1999), which allowed the states to make conciliation a prerequisite for resolving

neighborhood disputes. A federal assessment found that the number of cases in North Rhine-Westphalia rose from 1,628 in 1999 to 6,021 in 2002, and that the system kept less than 2% of local civil proceedings out of court (Röhl & Weiß, 2005). In Switzerland, the neighborhood center in Lausanne received no direct requests from neighbors who did not want others to know about their conflicts, and it closed in 2001 (Darbellay & Pinho, 2014). In Southern Europe, community mediation is more intercultural and social. In Italy, it consists of isolated municipal projects aimed at integrating immigrants, with mediators often reduced to the role of translators (Boldrini, 2014). In Spain, municipal services in Catalonia, the Basque Country, and Navarre are designed as public services of the local government in the name of a culture of coexistence (Pastor Seller, 2014; Carrera-Fossas & Brugué, 2025). In Portugal, the coordinator of the university office in Lordelo do Ouro acknowledges that the service practices “mediation for the community”, not community mediation, because the mediators are paid professionals (Neves, 2009, p. 490). The continental family is characterized by the host entity (municipality, housing agency, or public prosecutor’s office) and by the “European paradox”: settlement rates of approximately 75% coexist with the use of mediation in approximately 0.5% of court cases (Caser & Ramos, 2019).

5.5. Central and Eastern Europe

In Central and Eastern Europe, community mediation is a recent and fragmented phenomenon. Three configurations can be identified: community mediation as a participatory decision-making process at the municipal level, documented in Hungary, where crime prevention grants have funded the mediation of local conflicts and the training of residents (Németh & Szabó, 2021); the state-administered probation and mediation service in criminal matters, modeled after the Czech Service established by Law No. 257/2000 (Davronov, 2025); and administrative mediation between citizens and authorities, which has a legislative framework but limited practical application in Slovakia and Poland (Molitoris & Žofčinová, 2024; Włodyka & Kaczmarek, 2025). The region lacks an intermediate layer: a local, accessible, secular, or paraprofessional service for everyday conflicts.

5.6. Latin America

Latin American community mediation has two roots: reforms promoting access to justice championed by USAID and the Inter-American Development Bank, and an indigenous tradition of *justicia comunitaria*. The defining feature of the region is its legal framework: lay conciliators derive their authority from the constitution, and their agreements carry the force of court rulings. In Colombia, Article 116 of the 1991 Constitution and laws enacted between 1991 and 2001 established *the conciliador en equidad*—a person recognized by the

community and appointed by the judicial system who mediates pro bono in accordance with equity and whose settlement records have the same effect as a court ruling (Ramírez Torrado et al., 2012). The institutional vehicle is the Casas de Justicia program, launched with USAID in 1995, with 114 centers in 92 municipalities as of 2023 (Pathfinders for Peaceful, Just and Inclusive Societies, 2023); critical evaluations note 183,401 cases in 2013, but point to poor coordination and a lack of incentives for unpaid mediators (Villadiego Burbano & García Villegas, 2015). Brazil has moved from isolated programs—which trained residents of poor communities as community justice agents—to a national judicial policy through Resolution No. 125/2010 (Colombo & Passos de Freitas, 2016; Ferreira & Severo, 2021). Ecuador stipulates, under its 1997 law, that mediation agreements are as binding as a court ruling; state-run centers handled 6,683 cases in 2012, 86% of which were filed voluntarily (Pugh et al., 2017). The same authors’ study on Colombian refugees—32% of whom did not trust the police—found that having a nongovernmental organization accompany tenants to meet landlords, a “partial insider” practice, achieved agreement rates of about 80% where written invitations failed—one of the most direct empirical challenges to the premise of neutrality.

5.7. Asia

Asia is home to the largest systems and a wide variety of models. Chinese people’s mediation is the only system with national status, a mass-based organizational structure, and millions of cases. The committees, established in 1954, were codified by the 2010 Law, which declared mediation voluntary, made agreements binding, and required local governments to fund them (Congressional-Executive Commission on China, 2011). The literature is more subdued: the mediators’ repertoire is dominated by education and criticism (Wall & Blum, 1991), the practice is becoming more professional (Zhang, 2013; Song & Yu, 2025), and it remains unclear whether mediation serves the neutral resolution of disputes or “social harmony” (Congressional-Executive Commission on China, 2011).

Singapore serves as a benchmark for a ministerially administered system staffed by volunteers. The centers, established by law in 1998, are overseen by a unit within the Ministry of Law. Mediators are leaders of grassroots movements, appointed by the minister for a two-year term following a two-day workshop (Khan, 2013). Between 1998 and 2017, over 9,000 cases were mediated (Ministry of Law, Singapore, 2018). Recent data reveal a key weakness: of approximately 1,300 disputes registered in 2024–2025, in 50% of cases, one of the parties did not respond, and in 20%, they refused. This is why a unit was created to refer parties to mediation (Ministry of Law, Singapore, 2025), marking a shift from voluntary to state-directed dispute resolution (Quek Anderson, 2020).

Malaysia has two levels: the customary level, in which disputes are brought before the village chief or the imam (Wall & Callister, 1999), and the state program established by the 2012 Rukun Tetangga Act, which has no dedicated centers or specific regulations

(Khan, 2013). The Philippines has the oldest mandatory national community mediation system, the *Katarungang Pambarangay* (1978), in which disputes between residents of the same locality are referred to the *barangay* captain and a mediation committee before being brought to court. Sri Lanka has the most institutionalized legal system outside China. The commissions established under Law No. 72/1988—one per administrative division—are composed of appointed volunteers who have undergone 40 hours of training. In 2011, 302 commissions were in operation, handling approximately 100,000 disputes per year and resolving 60% of them (Jayasundere, 2011). Its defining features include mandatory mediation for disputes listed in the law, including minor assaults, the exclusion of lawyers, and lack of enforceability. Independent studies offer a more nuanced view: Welikala (2016) found widespread replication of formal procedures, while Jayasundere and Valters (2014) observed attitudes that do not promote gender equality, concluding that training and quotas would have only a modest effect because mediators are deeply rooted in local norms and practices.

Nepal represents the most developed form of the donor-supported network model. Community mediation was introduced by The Asia Foundation in 2002, alongside parallel programs from other donors; each village committee hosts a center with 27 volunteers, trained for eight days and selected to reflect caste, ethnicity, and gender; each party chooses its mediator from a photo display (McGrew, 2013; Suykens & Stein, 2014). By 2012, the foundation's network had registered 20,000 cases, 85% of which were resolved, through 4,800 mediators (McGrew, 2013). Suykens and Stein (2014) show that the centers operate in a "forum of choice" alongside politicized police officers and courts, and McGrew (2013) found that centers handed over to the government were operating less effectively, that half of the mediators were inactive, and that domestic violence, although prohibited, is often mediated. In Bangladesh, the Madaripur Association reformed the *shalish* in 1988 through training, the recruitment of women, and oversight, but the caseload dropped from 8,480 cases in 2006–2007 to 356 in 2019–2020, with no explanation provided in public data (Natividad, 2023).

5.8. The Middle East, Africa, and Oceania

Since 2003, Israel has built a network of over 75 municipal centers for mediation and community dialogue (the Gishurim program), with rabbis, sheikhs, and elders from the Ethiopian community serving as mediators (Sharaby, 2013; Li-On, 2009). In Turkey, there is no institutionalized community mediation; villagers turn to *muhtars*, imams, and elders, and written agreements are unnecessary where the presence of witnesses formalizes the understanding (Wall et al., 2010).

African community mediation has, in most cases, traditional origins, and the public policy issue is the extent to which the state should recognize, regulate, or replace it. At the statist extreme, Rwanda established, through Organic Law No. 31/2006, the *abunzi* committees,

with elected mediators and mandatory jurisdiction below a certain threshold (Mutisi, 2011); Doughty's ethnography (2014, 2016) describes them as top-down social engineering, in which mediation is a technique of governance involving coercion and resistance. South Africa stands at the opposite end of the spectrum, with a tradition of reconciliation based on *ubuntu*, but with no legislation and with underfunded services (Dheka, 2016). In Uganda, land disputes are referred to clan and religious leaders, with agreements frequently going unfulfilled; a legal aid consortium responded to this by launching a training program focused on written agreements (Avocats Sans Frontières et al., 2018).

The community justice centers in New South Wales, opened in 1981 and fully funded by the state and administered by the Attorney General's Department, were the first statutory service of their kind in the Western world (Grange, 2014). Recent history serves as a cautionary tale: in 2022–2023, 79% of mediated disputes were resolved, but the state government decided to close all centers in June 2025 (Local Government NSW, 2025). New Zealand adopted legislation in 1983, but the pilot program in Christchurch failed due to a lack of referrals (Grange, 2014).

Table 2. Comparative Matrix of the 24 Fully Coded Models

Model (country)	Legal Basis	Host / Funding	Mediators	Entry	Enforceable
U.S. – independent centers	None at the federal level; 16 states	NGOs; state, surcharges, foundations	Volunteers, 24–40 hours	55–67% court-referred; ~10% self-referred	No
U.S. – San Francisco	None	NGOs; foundations, then the city	Groups of 3–5 volunteers	~90% community	No
United Kingdom	None	Charitable organization; local contracts	Coordinator + volunteers, ~30 hours	Housing, police, self-referral	No
Norway – Konfliktråd	1991 Act	Ministry of Justice	Laypeople with modest compensation	Police/prosecutor's office; civilian	Criminal: alternative to prosecution
Netherlands – buurtbemiddeling	None	Social services; municipality + housing	Volunteers working in pairs	Housing, police, self-referral	No
France – social mediation	NF X60-600 standard	Associations; 70% grants	Salaried paraprofessionals	Presence in public spaces	Not applicable
France – MJD	1993 Law	Public Prosecutor's Office; state + municipalities	Associations, laypeople	Prosecutor's Office	Conditional dismissal
Germany – Schiedsamt	§ 15a EGZPO	Municipality; taxes, state	Elected lay conciliators	Mandatory (neighborhood)	Enforceable title
Spain/Portugal	Civil laws 2012/2013	Social services; EU funds	Professionals	Self-referral, social services	No
Hungary	Law LV/2002	Municipality + NGO; grants	Trained residents	Commissioned by the municipality	No

Model (country)	Legal Basis	Host / Funding	Mediators	Entry	Enforceable
Colombia	Constitution, Art. 116; laws 1991–2001	Ministry of Justice; USAID	Appointed, unpaid members	Self-referral	Acta = ruling
Brazil – CEJUSC (Judicial Centers for Conflict Resolution and Citizenship)	CNJ Resolution 125/2010	Courts	Trained residents	Court, community	Judicial recognition
Ecuador	1997 Law	Judicial Council; NGOs	Professionals	86% spontaneous	As a ruling
China	2010 Law	Residents' committees; local government	~3.2 million laypeople and employees	Committees; voluntary	Mandatory; confirmation
Singapore – CMC	1998 Act	Ministry of Law	Volunteer leaders, 2 days	Self-referral, agencies, magistrates	Unspecified
Malaysia – Rukun Tetangga	2012 Act	Department of National Unity	Committee volunteers	Self-referral	No
Philippines	PD 1508 (1978)	Barangay	Captain; lay committee	Mandatory preliminary	Enforceable
Sri Lanka	Law No. 72 of 1988	Ministry of Justice	Designated volunteers, 40 hours	Mandatory (statutory list)	No
Nepal	LSGA 1999; Law of 2011	Village committees + NGOs; donors	27 volunteers per village, 8 days	Self-referral, committee	No
Bangladesh – Madaripur	None	NGOs; donors	Committees, >25% women	Self-referral	Community pressure; mediation
Israel – Gishurim	Ministerial program	Municipalities; NGOs; ministry	Volunteers, rabbis, sheikhs	Self-referral, agencies	No
Rwanda – Abunzi	Organic Law 31/2006	Local government	Elected lay members	Mandatory below the threshold	Enforceable
Australia – NSW CJC (1981–2025)	Acts of 1980, 1983	Attorney General	Accredited, 54 hours	Police, courts, self-referral	Inadmissible in court
Malaysia/Turkey/ Uganda – customary	None	Chief, imam, elders	Insiders	All village disputes	Social pressure; witnesses

Source: Author's own compilation based on the sources cited in Section 5.

6. Comparative Analysis by Criteria

Legal basis. The models fall into three groups: no statutory framework (the United States at the federal level, the United Kingdom, the Netherlands, Switzerland, customary forums); legislation authorizing or funding the practice without regulating it (the 16 U.S. states, § 15a EGZPO, the Hungarian law, the Nepalese Local Self-Government Act); and enabling laws that create the institution, define its jurisdiction, and appoint mediators (NSW, Sri Lanka, Colombia, the Philippines, Singapore, Rwanda, China, Malaysia). However, an enabling law is neither necessary nor sufficient: the Netherlands achieved nearly universal coverage without a law; the Nepalese law remained unenforced for years while NGOs handled tens of thousands of cases; and the 1983 New Zealand law resulted in a failed pilot program (Grange, 2014). What laws ensure is enforceability and mandatory jurisdiction.

Relationship with the government and the courts. This criterion gives rise to the most profound divergence. The “independent but dependent” model (United States, United Kingdom) combines formal organizational autonomy with functional dependence on public agencies for caseloads and funding: referrals from the courts rose from 44% in 1998 to 67% in 2014 (Hedeen & Coy, 2000; Charkoudian & Bilick, 2015), and in British services, the funders and sources of cases are the same housing departments (Mulcahy, 2000). The administrative model places the service within a ministry, a court, or a local government (Norway, Singapore, Sri Lanka, Colombia, Rwanda, China); here, the issue of co-optation does not arise, because there was no “outside,” and the relevant questions become bureaucratization and the preservation of secularism (Mørland, 2000; Quek Anderson, 2020). The “outside” position (traditional forums, community councils, the Toronto service) is the purest expression of the ideal of empowerment and the least sustainable: the councils accepted funding from the city in 1984, and by 1989, half of their budget came from the state (Merry & Milner, 1993), while the Toronto service closed (Pincock, 2013). The mandatory element transcends these positions, and the data on its effects are mixed: in Germany, mandatory mediation quadrupled the volume of cases handled by mediation offices but kept fewer than 2% of civil cases out of court, and settlement rates declined (Röhl & Weiß, 2005); in Sri Lanka, mandatory mediation generates 100,000 cases per year but leads to the mediation of offenses that international standards would exclude (Jayasundere, 2011). Without external impetus, however, voluntary services handle few cases: in Maryland, only 15–40% of referred cases are actually mediated (Charkoudian & Wilson, 2006), and in Pennsylvania, about 19% (Beer, 1986).

Host and funding. The host determines the funding model, and this determines the program’s survival. Funding from the justice budget (Norway, Sri Lanka, Singapore, NSW, New York, Maryland) is the most stable and most subject to judicial priorities; the closure of centers in NSW in 2025 shows that even a statutory service that has been in place for forty years can be abolished by a budgetary decision. Municipal and housing funding has achieved 93% coverage in the Netherlands but leaves British charities vulnerable to the shift from grants to contracts, and social policy grants transform French mediation

into an employment program. Donor funding (Nepal, Bangladesh, Uganda, and the first Community Councils) leads to rapid expansion and equally rapid contraction: Madaripur dropped from 8,480 to 356 cases, Nepalese centers deteriorated after handover, and the Councils closed three of their six offices in 1984 (Natividad, 2023; McGrew, 2013; Merry & Milner, 1993). In American studies, the business model “seems to condemn the centers to a short-lived but idealistic existence” (Baron, 2004, p. 140). Only the models adopted by the state as a permanent public service, enshrined in law and the budget, have escaped this precariousness.

Mediators. The identity of the mediator is the criterion on which the models differ most significantly. The trained volunteer (U.S., United Kingdom, Netherlands, Singapore, Sri Lanka, Nepal) receives between two and eight days of training and mediates free of charge; the weaknesses are well documented everywhere: an unrepresentative profile, high turnover, and inactivity (Charkoudian & Bilick, 2015; Merry & Milner, 1993; McGrew, 2013). The paid layperson (Nordic services, *Schiedsamt*) combines layperson status with a public appointment and is the profile that Christie’s followers consider the best safeguard against professionalization (Ervasti, 2018). Paraprofessionals or professionals (France, Spain, Portugal, Italy, Ecuador) are salaried employees trained in social work, psychology, or law, and Neves (2009) acknowledged that such a service is “mediation for the community”. Insiders with authority (village chief, imam, elder, equity mediator) derive their legitimacy from social status, and data from Malaysia, Turkey, Uganda, and Ecuador show that, in these contexts, insiders are more accessible and perceived as more effective (Wall & Callister, 1999; Wall et al., 2010; Pugh et al., 2017)—a descriptive, not causal, finding. Gender follows the same pattern: women constitute the majority among American and British volunteers, are marginal in Sri Lanka, and are nearly absent from traditional forums (Jayasundere, 2011; Natividad, 2023).

Case intake and case types. The referral source defines the caseload.. Where the service is fed by the courts, the cases reflect court dockets, and neighborhood disputes account for only 4% of the cases (Charkoudian & Bilick, 2015). When fed by the housing sector, the cases are neighborhood disputes, half of which involve noise (Sacro/Scottish Community Mediation Centre, 2024; Binnenlands Bestuur, 2016). Where mediation is a mandatory step, the caseload is defined by law. In traditional systems, all cases, including domestic violence and homicides, are first sent to a mediator, and the outcome is often negotiated as compensation (Wall & Callister, 1999; Wall et al., 2010). Self-referral, the movement’s ideal, is the least common channel almost everywhere (7–10% in the United States; Charkoudian & Bilick, 2015).

The Process and enforceability. The facilitative, interest-based process has become the common language of the field, but has adapted in three ways: shuttle mediation is much more common than joint sessions in the United Kingdom and is rejected on principle by the inclusive school in Maryland (Dignan, 1998; Harmon-Darrow et al., 2020); traditional forums rely on deliberation, moral persuasion, and ritualistic closure, while Chinese

mediators educate and offer criticism (Wall et al., 2010; Wall & Blum, 1991); and many systems are in fact med-arb, ranging from *the shalish*, which relies on majority decision, to the Rwandan committees, which make decisions (Natividad, 2023). Enforceability distinguishes formalized models from informal ones: agreements are court rulings in Colombia and Ecuador, judicially enforceable in China and Brazil, enforceable titles in Germany, and mere contracts or nothing at all in the United States, the United Kingdom, Sri Lanka, and Nepal (Suykens & Stein, 2014; McGrew, 2013). The trade-off is clear: enforceability increases compliance with agreements and state investment, but pushes the institution toward adjudication.

Results and evaluation. Settlement rates of 60%–90% are reported almost everywhere, but they measure different metrics, different outcomes, and self-selected populations. More revealing figures are the conversion rates from referral to mediation: 15–46% in the United States, 27% in the United Kingdom, and at most 30% in Singapore. The key constraint for any voluntary model is not the mediator’s competence, but the parties’ willingness to participate. The few studies with comparison groups remain nearly the only causal evidence: Charkoudian (2005) found that mediation reduced police calls by approximately 8.5 per case over six months in Baltimore, and studies in Maryland indicate a reduction in return to court (Harmon-Darrow et al., 2020). Community-level outcomes remain unmeasured: the only rigorous trial found effects on volunteers, not on neighborhoods (Merry & Milner, 1993; Pincock, 2013).

Socio-political context and purpose. Models differ in terms of the problem they are designed to solve, and this difference explains many of the other variations. Where the problem is court backlogs (Sri Lanka, Singapore, Germany), the institution is designed to handle caseloads; however, the objective is rarely achieved, with the New York State network handling approximately 1.25% of court cases (Hedeen & Coy, 2000). Where the issue is quality of life (the United Kingdom, the Netherlands, French public housing estates), the institution serves as an early intervention service attached to housing authorities and the police. Where the issue is integration (Southern Europe, Israel, Ecuador), mediators are intercultural workers. Where the issue is post-conflict reconstruction (Nepal, Rwanda, Colombia), mediation is justified as a means of reconciliation and state-building, and is thus subject to politicization (Suykens & Stein, 2014; Doughty, 2014). Where the issue is political stability (China), the institution functions as a mass-based governing body. The same technique, in Bonafé-Schmitt’s (1992) words, “has no pure models” (p. 180): its purpose is determined by the political system that adopts it.

7. A Typology of Community Mediation Models

7.1. Classification Criteria

Existing typologies have been based on a single dimension: the sponsoring entity (Wahrhaftig, 1982), the source of cases (Shonholtz, 2000), the assimilative, synergistic, or autonomous relationship with the courts (Coy & Hedeén, 2005), mediation as dispute resolution, social regulation, or integrated intervention (Almeida, 2014), and the mandatory nature of participation and agreements (Natividad, 2023). Each has a limited perspective: American classifications assume an independent center, European classifications a social policy framework, and development-focused classifications a traditional basis. The comparison suggests that a classificatory dimension and a descriptive one, applied in sequence, best differentiate the set of cases. The first is the source of support and legitimacy: civil society, the judicial system, local social and administrative bodies, external donors, or custom and religion. The second is the degree of formalization: voluntary or mandatory participation, mandatory or non-mandatory outcomes, lay or professional mediators, and facilitative or adjudicative processes.

Two coding rules apply. First, the dominant source of legitimacy and funding determines the type; a case is assigned to the institution from which it derives its existence and budget, not the one that manages it operationally. Thus, the Norwegian Konfliktråd is Type II, even though half of its cases are civil, because its legitimacy and the primary referral channel stem from the criminal justice system; the Singaporean centers are Type III, even though participation is voluntary, because they are established by law and administered by a ministry; the Gishurim centers are Type IV, even though the program is run by a ministry, because the service is provided by municipalities as a social policy. Second, the degree of legalization is described within each type as a typical feature, not as an exclusionary criterion. The typology is, therefore, a classification ordered according to the source of legitimacy, with legalization as a secondary dimension, and does not claim the exhaustiveness of a taxonomy.

7.2. The Six Types

Type I, the civic-volunteer center: an independent nonprofit organization, led by a community council, with a paid coordinator and volunteer mediators, which offers free facilitative mediation for interpersonal and neighborhood disputes; civic sponsorship and a low level of legalization. Its weakness is its dependence on resources: unable to generate cases or revenue solely from the community, it becomes a hybrid of Type II or IV. Its strength is normative: it is the only type that fully embodies self-determination and serves as a benchmark against which all others are evaluated.

Type II, the service attached to the justice system: situated within the justice system or contracted by it, it uses volunteers or designated laypeople for cases referred by that system;

moderate legalization, with referrals that are voluntary in form but coercive in practice. This is the destination that the literature on co-optation describes for Type I, but it also appears in the Nordic and Australian models, as a deliberate public project. Its pathologies are coercion, “mass justice,” and evaluative deviation (Hedeen & Coy, 2000; Crawford, 2000), and its strength is its scale.

Type III, the community-based commission established by law: a national institution created by law, administered by a ministry or local government, with mediators appointed or elected from the community and defined jurisdiction under state administrative oversight, with a high degree of legal formalization. The characterization as “mandatory in most cases” reflects a trend: only Sri Lanka, the Philippines, and Rwanda have mandatory jurisdiction. This type predominates outside the North Atlantic. Its strengths include coverage, volume, and low cost, while its weaknesses include the replication of judicial procedures in a supposedly informal forum (Welikala, 2016), mediation of domestic violence (Jayasundere, 2011), and, in authoritarian states, the subordination of the parties’ autonomy to “harmony” (Doughty, 2014).

Type IV, the municipal social mediation service: organized by a municipality, public housing agency, or social welfare organization as an instrument of social policy; provided by volunteers (the Netherlands, Israel), paraprofessionals (France, Italy), or social workers (Spain, Portugal) who address neighborhood conflicts as part of a broader mandate; locally funded, with limited legal involvement. Its weaknesses include the dilution of dispute resolution into general social work (Neves, 2009), dependence on subsidized employment programs, and a drift toward “community policing”. Its strengths include integration into services that citizens already use and independence from the courts.

Type V, the donor-supported network: village- or neighborhood-level centers established by an international donor through national NGOs, with locally selected volunteers, brief training, non-binding agreements, and a plan for handover to the local government. This type has generated the highest volume of cases outside statutory systems and the most deliberate inclusion of women. Its shortcomings include sustainability, politicization, and forum selection based on self-interest (Suykens & Stein, 2014; McGrew, 2013; Natividad, 2023).

Type VI, the traditional and hybrid forum: dispute resolution by individuals whose authority derives from traditional, religious, or community positions, with or without state recognition. Legal recognition ranges from nonexistent (Malaysian and Turkish villages, Ugandan clans) to partial recognition (Indonesia, Israeli ethnic mediators) to full legal incorporation when the forum becomes a Type III institution (Rwanda, the Philippines). The process is deliberative, agreements are enforced through social pressure, and the mediator is an insider to the conflict. Its strengths are accessibility and legitimacy, while its weaknesses are co-optation by elites, gender exclusion, and the resolution of serious crimes outside the law. Hybrid forms (the reformed *shalish* and trained elders in Uganda) attempt to preserve the legitimacy of Type VI by incorporating the safeguards of Types I and V.

Table 3. Typology of Community Mediation Models

Type	Sponsorship / Legitimacy	Legalization	Mediators	Examples	Strength	Pathology
I. Civic-Volunteer Center	Civil Society	Low	Volunteers	U.S. (community-based); United Kingdom; Canada; Switzerland	Self-determination	Resource dependence, transition to II/IV
II. Service Attached to the Judiciary	Courts, prosecutors' offices, ministry	Moderate	Volunteers or paid laypeople	NJC,s NY, MD; NSW; Schiedsamt; CEJUSC; MJD; Norway	Scale, stable funding	Coercion, evaluative bias
III. Statutory Commission	State, by law	High	Appointed/elected lay members	Sri Lanka; Philippines; Rwanda; Singapore; Colombia; China	Wide coverage, high volume, low cost	Legalism, mandatory mediation of violence, control
IV. Municipal social mediation	Local government, housing	Low	Volunteers, paraprofessionals, professionals	Netherlands; France; Spain; Portugal; Italy; Israel; Hungary	Integration into local services	Dilution into social assistance, subsidies
V. Donor Network	Donors through NGOs	Low→medium	Local volunteers	Nepal; Bangladesh; Afghanistan; Uganda; DRC	Reach, inclusion, evaluation	Sustainability, politicization
VI. Traditional/hybrid forum	Tradition, religion, community	None→high	Insiders	Malaysia; Turkey; Uganda; Indonesia; sulha; shalish	Legitimacy, cultural appropriateness	Elites, gender exclusion

7.3. Common, Distinctive, and Specific Elements

Six elements are present in the vast majority of models and form the common core—as trends, not as invariants, since each has exceptions (committees make *most* decisions; Ecuador and Lausanne charge fees; Spain and Portugal use professionals): a third party with no decision-making power on the merits; local-level conduct; the secular or community-based legitimacy of the mediator, with the explicit exclusion of lawyers in Sri Lanka and the implicit exclusion within the American volunteer ethos; free access or access at a nominal cost; a rationale that extends beyond the individual case, in terms of cohesion, harmony, or reconciliation, which distinguishes community mediation from commercial or judicial mediation; and, less encouragingly, a reliance on referrals, since no volunteer model generates a sustainable caseload solely through self-referral.

The distinguishing elements, in descending order of their ability to differentiate between types, are as follows: the source of funding, which determines stability; the source of cases and the purpose; the mandatory nature of participation, which determines volume and the risk of coercion; enforceability, which determines compliance with agreements and legal formalism; the mediator's status, which determines the style of the process and

representativeness; the scope of the mandate, which predicts whether the institution is viewed as a justice service or as social policy; and the degree of state penetration, which predicts whether the critical issue is co-optation (Types I, II) or control (Types III, VI).

Certain features are specific to a single model and represent genuine institutional innovations: the Community Councils' refusal to accept cases referred by courts and their groups of three to five neighbors (Merry & Milner, 1993); inclusive mediation in Maryland, the only model that dispenses with separate sessions and ground rules (Harmon-Darrow et al., 2020); the Schiedsamt, the only European community institution whose agreements are directly enforceable, and the only European experiment in mandatory lay conciliation that has been evaluated at the national level (Röhl & Weiß, 2005); Dutch certification of programs, not mediators; selection of mediators via photographs in Nepal; and constitutional delegation of judicial power to unpaid conciliators in Colombia.

8. Effectiveness and Evaluation: What the Data Show

The title of Hedeén's (2004) paper—which states that limited research suggests unlimited progress—still describes the current state of knowledge. Four conclusions can be drawn. First, mediated cases are resolved at high rates, and participants report high satisfaction across all systems that measure it, regardless of type: 60–89% in U.S. programs, 70% in the Netherlands, 60% in Sri Lanka, 69–85% in Nepal, over 70% in Singapore, and 79% in NSW. Alberts et al. (2005) add that satisfaction and the perception of fairness are determined by the mediator's facilitative behavior, not by their legal qualifications, which validates the lay model on its own terms. Second, the conversion rate of referrals to mediation is low wherever the process is voluntary, and this—not the failure to reach an agreement—is the limiting constraint. Third, causal evidence regarding effects beyond the individual case is rare but not nonexistent. Charkoudian's (2005) study remains the best-designed: calls to the police decreased by about 0.33 per week for each mediated case, with the estimate increasing after adjusting for selection bias. Cases referred by the prosecutor in Maryland were nearly five times less likely to return to criminal court within a year (Harmon-Darrow et al., 2020), while the German evaluation showed that mandatory mediation does not significantly reduce court caseloads (Röhl & Weiß, 2005). Fourth, the effects at the community level remain unproven: the San Francisco study found that the impact on those who manage problems is greater than on those whose problems are managed (Merry & Milner, 1993), and Pincock (2013) concluded that claims regarding capacity building should be scaled back and reconceptualized, rather than abandoned. Claims regarding cost-effectiveness are plausible but are based on rarely tested counterfactual assumptions.

Methodological weaknesses are common to all systems: administrative and self-reported indicators, self-selected populations, virtually absent comparison groups, data reported by implementers, variable definitions of "case" (Gazley et al., 2006), and non-operationalized community-building objectives. The agenda proposed by Charkoudian and Bilick (2015)

—measuring outcomes beyond agreement, using comparison groups, and focusing on who is actually being served—applies to all countries. For a jurisdiction designing a new system, the implication is that evaluation must be integrated into the institution from the outset, with the definition of the case, outcomes, and comparison strategy established before the first mediation session.

9. Critical Perspectives

Based on this comparison, the critical literature proves to be largely justified in its diagnoses, if not in its recommendations. Five lines of criticism were identified across all models.

Co-optation and expansion of state control. Abel's thesis (1982), Harrington's demonstration (1985) that neighborhood justice centers resolved cases referred by the courts, and Coy and Hedeén's (2005) phased model are confirmed by U.S. referral statistics and the "shadow" role of British housing departments. The French MJD, which is less an alternative justice system than a rapid response where the public prosecutor's office would not have acted (Crawford, 2000), extends this analysis to Europe. The poststructuralist perspective is also confirmed: Mulcahy's (2000) mediators channeled collective grievances upward, and in Nepal, residents used state institutions against other state institutions (Suykens & Stein, 2014).

The ideology of harmony and second-order justice. The arguments of Nader (1990) and Fiss (1984) find their strongest confirmation not in the United States but in China and Rwanda, where calls for unity are linked to broader forms of cultural control (Doughty, 2014). The objection of "second-order justice" is acknowledged even by its proponents (Bonafé-Schmitt, 1992; Mackay & Moody, 1996). The comparison adds a nuance: where the alternative is not the court but the absence of any forum (rural Nepal, the Congolese land conflict, villages in Bangladesh), the objection loses much of its force, and the relevant question becomes the quality of the existing forum.

Power, gender, and violence. The warnings of Grillo (1991) and Delgado et al. (1985) are most clearly borne out outside the North Atlantic: mandatory mediation of assaults in Sri Lanka "trivializes issues related to domestic violence" (Jayasundere, 2011, p. 6), Nepalese mediators mediate domestic violence despite the ban (McGrew, 2013), and Afghan jirgas exclude women and accept the transfer of girls as compensation (Natividad, 2023). American and European models have responded with pre-mediation assessment (Gazley et al., 2006), exclusion (Singapore), and, in Europe, by prohibiting mandatory alternative dispute resolution procedures in cases of violence, pursuant to Article 48 of the Istanbul Convention.

Structural causes. European practitioners are the most candid about the limitations: mediation cannot change the parties' economic and political environments (Sacro/Scottish Community Mediation Centre, 2024); some problems are structural, and mediation of human consequences will always fail (Simmonds, 2001); "collective impact requires

collective goals” (Neves, 2009, p. 490). Type IV models have responded by expanding their mandate toward social intervention, with the risk of treating social problems as individual problems (Neves).

Cultural transfer and the premise of neutrality. The final criticism is the one most strongly supported by comparison: the model of the neutral, outside, facilitative, and confidential mediator is not universally appropriate. It failed in New York’s Chinatown, where the parties expected directive techniques from elders (Smith, 2000); it is perceived as foreign and ineffective by Kurdish villagers (Wall et al., 2010); it is superseded by insider accompaniment among refugees in Ecuador (Pugh et al., 2017) and is culturally reinterpreted by commissions in Sri Lanka (Welikala, 2016). The lesson is not to abandon the model but to recognize that neutrality, confidentiality, voluntariness, and facilitation are separable components, to be redefined in each context, as proposed by Lederach’s elicitive approach (1995).

10. Discussion: Implications for Institutional Design

This comparison supports four conclusions with implications for institutional design. First, community mediation is a family of institutions rather than a single model. The tendency in American literature to treat the civic center as the norm and the rest as deviations obscures the fact that, when measured by coverage and sustainability, the statutory commission and municipal service are the dominant forms in the cases analyzed, with the caveat that the share of Type III in terms of volume is accounted for almost entirely by China.

Second, every choice regarding the dimensions of differentiation incurs a documented cost. Judicial sponsorship brings scale and constraint; municipal sponsorship brings integration and dilution; mandatory participation brings volume and the mediation of unmediable cases; donor funding brings coverage and collapse; traditional legitimacy brings acceptance and exclusion; and civic independence brings integrity and poverty.

Third, the evidence base is uneven, and the strongest claims are poorly supported. A new system should justify itself based on the objectives supported by the evidence (accessible, rapid, and inexpensive resolution of everyday disputes, with measurable reductions in repeated calls to the police, housing authorities, and courts), while keeping transformative objectives as the long-term goal and developing the means to test them. This caution transforms the conceptual test of community mediation—the production of effects at the community level—from a criterion for initial justification to a criterion for evaluation.

Fourth, transfer implies adaptation to new contexts. If “success” is understood narrowly—as sustainability for at least a decade without dependence on a single project, a sustainable flow of cases, and the existence of an evaluation independent of the institution that administers or funds the service—only five of the coded models fully meet these criteria: American civic centers, Dutch neighborhood mediation, the Schiedsamt, the Colombian system, and, until 2025, the centers in NSW. The Nordic, British, and French models

partially meet these criteria; the Asian Type III models are sustainable and have a steady caseload but lack independent evaluation; and donor-supported models do not meet the sustainability criterion. This consequence is twofold. The common core identified in Section 7 remains a descriptive observation about the entire family of models, including unsuccessful cases, rather than a lesson drawn from successful models. The elements that a project designer can confidently adopt (co-mediation with volunteers, structured referrals from agencies that receive complaints, free services, integrated evaluation from the outset, and state anchoring with autonomous governance) come from the five models that meet the criterion, while the others serve as cautionary examples for the project designer.

Sustainable implementations have, almost without exception, re-anchored the imported model within a national institution already trusted by the public—one that was the first point of contact in the event of a conflict (the social assistance organization in the Netherlands, the Ministry of Law in Singapore, the village committee in Nepal, and the barangay in the Philippines)—and adapted the mediator’s profile to the type of person the population accepts as a legitimate intermediary. The failures (the New Zealand pilot, the center in Lausanne, and the Chinatown project) were failures of anchoring, not of technique. The rule has its limits: the closure of the centers in NSW after 44 years shows that anchoring is a condition for sustainability, not a guarantee against budgetary decisions. For a jurisdiction without a tradition of secular dispute resolution, the comparison points to a hybrid between Types III and IV: a service hosted by local authorities, with a clear legal basis and modest jurisdiction over neighborhood disputes, mediators recruited from the community and trained to a standard, free access, voluntary participation supported by a structured referral system, legal effect of the agreement at the parties’ discretion, explicit exclusion of violence, and evaluation designed from the outset. “Hosting” refers to providing the legal basis, funding, and referral channels, not managing the service. In the terminology of Dolowitz and Marsh (2000), these conditions are measures to prevent uninformed, incomplete, and inappropriate transfer.

11. Conclusions

This article described community mediation models from nine regions, compared them across eight criteria, and derived from this comparison a typology of six types, ordered according to the source of legitimacy and funding. Its contribution is threefold. Descriptively, it analyzes cases from all regions using the same criteria. Analytically, it shows that the models converge toward a narrow core and diverge precisely on the dimensions that matter for design, with each option having a documented cost. Evaluatively, it shows that the field’s most frequent claims—those regarding community building—are the least supported, while the effects on conflict recurrence benefit from limited but solid causal evidence.

The limitations stem from the documentary nature of the study: the descriptions rely on secondary sources with varying reference data, the quantitative indicators are not directly

comparable, and the selection favors well-documented and enduring cases. Three research directions emerge: systematically updating the case studies with recent institutional data, particularly for Asian and Latin American models, where independent evaluation is lacking; testing the typology on cases not included here, primarily from Central and Eastern Europe and Africa, where configurations not covered by the six types may arise; and, most importantly, designing evaluations with comparison groups to measure the effects on the recurrence of conflicts and, if possible, on community cohesion—the only way in which the movement’s founding assertion can move from hypothesis to fact.

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