

Brief Description of MEDIATION

Mediation is a forum for conflict resolution. Developed in the late 1960's, it has since been used as an approach to working on a wide range of conflicts involving couples, families, friends, organizations, collective households, businesses, and political parties.

A typical mediation is highly structured and consists of the following steps: Homework, Contracts, Exchange of Feelings, Analysis, Negotiation, and Strokes.

HOMEWORK: Participants are asked to prepare notes for their own use on three topics:

- 1) Goals for the mediation (what they personally hope it will accomplish)
- 2) "Held Feelings", or complaints and criticisms they have for each other
- 3) Changes, or what would constitute an ideal relationship with the other party/ies

Detailed instructions are given them about how to prepare their complaints, including how to formulate "held feelings". This technique is intended to express criticism cleansed of value judgments. It takes the form of a complex sentence, the first part describing the behavior of the other person, the second stating in simple language the emotional response of the subject: "When you did (said, did not do) (fill in the blank), I felt (fill in the blank)." An example might be, "When you didn't return my phone calls over the last two weeks, I felt angry, hurt, and hopeless."

CONTRACTS: The mediation itself is best done in one sitting. Depending on the number of people involved, it can be as brief as three hours, or as long as three days. It begins with each participant saying what she seeks from the mediation: to clear the air, to understand why they are fighting, to renegotiate agreements, to break up amicably, to find a method for avoiding organizational disruption when conflict happens, to get feedback for herself about her personal role in escalating conflict, and so on. A good contract is specific, gives the mediator a clear picture of the agenda, and helps the participant to assess whether she is getting what she's come for as the session proceeds.

Mediations are based on models of equality and cooperation; people take turns speaking to each other so that everyone has equal air-time and is heard with due seriousness.

EXCHANGE OF FEELINGS: Next, the participants "clear the air", exchanging their complaints and grievances. The mediator plays an active role, helping them articulate their subjective experience of the history in the form of "held feelings". The mediator is both teacher and referee, making certain that each participant has a fair turn, and that people are not injured or overwhelmed.

As the "held feelings" are exchanged, little discussion of their content or meaning takes place, with one exception. Statements of "fact" (or, as they are actually described to the

mediatees, subjective experience of events) are often laced with intuitions, fears, assumptions, theories, and so on -- the unspoken, implicit meaning structures which people construct to help them evaluate and understand the behavior of others. A second technique is used to make those assumptions explicit, and to sort out where they reflect actuality and where they do not. The intuition is elaborated, sometimes as a fear or fantasy or concern: "I think you were angry at me last Friday when you refused to go to the movies together, and you were deciding to break up." The person addressed then validates a kernel of truth on the theory that intuition is always based on some truth, however distorted its expression may be: "What's true is that I was trying to figure out how to tell you I was hurt by your comment to me on Thursday. So, yes, I was a little angry, mostly hurt, and even more confused about what to do. I was deciding how to handle it, but not thinking about breaking up, and I didn't feel I could just hang out with you at the movies without clearly it up first."

ANALYSIS: While the "held feelings" and intuitions are being expressed, the mediator is actively evaluating them in terms of a set of questions about power, analyzing inequality on a number of levels. In the immediate frame, material inequalities are assessed: Who has more money? Who contributes more money to shared endeavors? Who has the greater organizational power? Skills are regarded as sources of power: Who knows how to design a website? To repair an emotional injury? To handle an unusually difficult case? and so on. Emotional resources figure into the equation: who has confidence and skills in which areas of emotional "literacy"? Work both reflects and constructs power: Who pays the checks and therefore (most probably) understands the budget? Who answers the telephones, decides the distribution of tasks, facilitates the meetings? Beyond the frame of the immediate relationship, wider questions of power are also examined. Sexism, racism, class, physical ability, etc., all are assumed to impact on the relationship, and the specific ways in which they may on this specific relationship are analyzed. The mediator gives very direct feedback, a discussion of which leads to shared understandings of the central problems and dynamics.

NEGOTIATION: The participants are then invited to say clearly what they would like to change. The mediator helps them make specific and detailed agreements about how change is to come about: who will do what, when and how. Sometimes, people agree to part, and the agreements help them do it in such a way that they are best able to heal and move on in their lives.

STROKES: Finally, if it is appropriate, participants are asked to exchange "strokes", words of appreciation and respect -- fundamental units of positive human interaction and rewards for working through conflict.

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