

Mediating the Aftermath of Terri Schiavo's Death

by Douglas Noll
June 2005

See article by Robert Benjamin: Schindler v. Schiavo: The Real Negotiation for Your Soul

Terri Schiavo's death has dropped from the news. For the family, the news trucks, interviews, and spotlights have been turned off, but the hostility, anger, and unresolved conflict must remain. Considering the 12 year conflict played out in the courts, the Florida legislature, the United States Congress and the White House, could reconciliation between the family members be possible? As a peacemaker, I think so. I also believe that until the family reconciles, personal healing will be very difficult.

So how would a peacemaker approach this intense, very personal, very private, yet very public family conflict? In this case, we can expect that Bob and Mary Schindler, Terri's parents, and Michael Shiavo, her husband, detest each other. Thus, expecting them to come together at the outset to discuss their issues would be naïve and unrealistic. The idea that people in highly escalated conflicts can talk rationally to each other is simply wrong. When people are emotionally charged, they are reactive, defensive, and anxious. They are not ready to talk out their differences calmly. Much of the peacemaker's work is in preparing the parties to talk to each other. If the preparation is thorough, a later peacemaking conference can be fruitful.

Preparing for peace requires a series of individual meetings. In these private conferences, the peacemaker will ask each person to reflect on the history of the conflict. What were the key points during the conflict? What emotions and feelings were experienced at each point? How did the others appear to feel? Much of the conflict focused on Terri's interests and needs. The peacemaker would turn away from this and ask the family members to reflect on and identify their personal needs, interests, goals, and desires. How did each event satisfy or thwart those needs? Gradually, the parties would learn that Terri was in many ways a symbol for their deeper, unrealized relationship and identity goals. As long as the focus was on Terri's needs, the parties did not have to look at their own needs and interests.

Accusations escalated as the conflict escalated. For example, the Schindler's accused Michael Shiavo of adultery and "wasting, embezzling, or other mismanagement of [Terri's funds]." Shiavo accused the Schindler's of fomenting the conflict because they did not share in the malpractice settlement money. Each side accused the other acting dishonestly and disreputably. Worse, these rounds of insults and charges were played out in the media. From the peacemaker's perspective, a complete breakdown in empathy occurred. Each family member individually and privately would be gently urged to consider the possibility of other perspectives by telling the other side's story to the peacemaker. This reflective exercise causes people to open themselves to a broader story than they had earlier perceived. Subtle yet important emotional shifts occur as people are asked to recast the story through the eyes of their adversary.

Injustices have played a major role in this conflict. The peacemaker will therefore spend time inquiring about injustices. How have the injustices been experienced? What are the injustices? The parties will initially be seeking retribution—"He/She hurt me and I want him/her to suffer

just like I did!” This is a typical and expected reaction to injustice and injury. Peace can only be found when the parties move away from justice as retribution and seek justice through restoration of relationships. Simple questions from the peacemaker can cause people to reflect on the personal effects of retribution. How would punishing or penalizing the other party make your sense of injustice go away? As people think about this and try on what retribution would feel like, they learn that it does not satisfy them. This opens the door to other options. Recognizing that many injustices cannot be righted, what could the other side do to help make things right? How would you feel if the other party strived to make things right with you?

As the parties came to understand the subtleties and nuances of the conflict, discussions about process would begin. How will it feel to sit across the table from Bob and Mary or Michael? What feelings are likely to come up for you? How will you respond to those feelings? What would be a successful outcome for you? What would be a miraculous outcome for you? The parties will tend to focus away from themselves during this conversation. For example, Bob might say, “I hope that Michael apologizes for all the pain he caused me.” The peacemaker would ask Bob to focus on himself by asking, “Recognizing that is what you would want from Michael, what would be successful for you—how would you feel?”

Eventually, the parties will be ready to sit across from each other. The peacemaker must create a safe, protected space for the difficult conversations to occur. The discussions will be emotional and heated at times. With proper preparation, however, the parties can be shown the path towards reconciliation, forgiveness, and restoration of their family relationship. It would not be an easy path for them to walk, but with the help of the peacemaker, they could find peace in Terri’s death that eluded them during her life.