

Building Bridges Between Psychology And Conflict Resolution - Implications For Mediator Learning

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Over the last three decades, hundreds of thousands of people around the world have been trained in community, divorce, family, commercial, organizational, and workplace mediation, as well as in allied conflict resolution skills such as collaborative negotiation, group facilitation, public dialogue, restorative justice, victim-offender mediation, ombudsmanship, collaborative law, consensus decision making, creative problem solving, prejudice reduction and bias awareness, conflict resolution systems design, and dozens of associated practices.

Among the most important and powerful of these skills are a number of core ideas and interventions that originate in psychology, particularly in what is commonly known as “brief therapy,” where the border separating conflict resolution from psychological intervention has become indistinct, and in many places blurred beyond recognition. Examples of the positive consequences of blurring this line can be found in recent discoveries in neurophysiology, “emotional intelligence,” and solution-focused approaches to conflict resolution.

While it is, of course, both necessary and vital that we recognize the key differences between the professions of psychology and conflict resolution, it is *more* necessary and vital, especially in these times, that we recognize their essential similarities, collaborate in developing creative new techniques, and invite them to learn as much as they can from each other.

Beyond this, I believe it is increasingly important for us to *consciously* generate a fertile, collaborative space between them; discourage the tendency to jealously guard protected territory; and oppose efforts to create new forms of private property in techniques that reduce hostility and relieve suffering.

It is therefore critical that we think carefully and strategically about how best to translate a deeper understanding of the emotional and neurophysiological underpinnings of conflict and resolution processes into practical, hands-on mediation techniques; that we explore the evolving relationship between mediation and psychology, and other professions as well; and that we translate that understanding into improved ways of helping people become competent, successful mediators.

Among the urgent reasons for doing so are the rise of increasingly destructive global conflicts that *cannot* be solved even by a single nation, let alone by a single style, approach, profession, or technique; the persistence of intractable conflicts that require more advanced techniques; and the recent rise of innovative, transformational techniques that form only a small part of the curriculum of most mediation trainings. [For more on mediating global conflicts, see my book, *Conflict Revolution: Mediating Evil, War, Injustice, and Terrorism – How Mediators Can Help Save the Planet*, Janis Publications 2008.]

The present generation is being asked a profound set of questions that require immediate action based on complex, diverse, complementary, even contradictory answers. In my judgment, these questions include:

1. What is our responsibility as global citizens for solving the environmental, social, economic, and political conflicts that are taking place around us?
2. Is it possible to successfully apply conflict resolution principles to the inequalities, inequities, and dysfunctions that are continuing to fuel chronic social, economic, and political conflicts?
3. Can we find ways of working beyond national, religious, ethnic, and professional borders so as to strengthen our capacity for international collaboration and help save the planet?
4. Can we build bridges across diverse disciplines so as to integrate the unique understandings and skills that other professions have produced regarding conflict and resolution?
5. How can we use this knowledge to improve the ways we impact mediator learning so as to better achieve these goals?

Locating potential synergies between psychology and conflict resolution will allow us to take a few small steps toward answering these questions. And small steps, as we learn in mediation, are precisely what are needed to achieve meaningful results. Why should we consider the possibilities of ego defenses or solution-focused mediation? For the same reasons we consider the potential utility of a variety of interventions – because they allow us to understand conflict and enter it in unique and useful ways.

The logical chain that connects conflict resolution with psychology is simple yet inexorable and logically rigorous, which proceeds as follows:

1. It is possible for people to disagree with each other without experiencing conflict.
2. What distinguishes conflict from disagreement is the presence of what are commonly referred to as “negative” emotions, such as anger, fear, guilt, and shame.
3. Thus, *every* conflict, by definition, contains an indispensable emotional element.

4. Conflicts can only be reached and resolved in their emotional location by people who have acquired emotional processing skills, or what Daniel Goleman broadly describes as “emotional intelligence.”
5. The discipline that is most familiar with these emotional dynamics is psychology.
6. Therefore, mediation can learn from psychology how to be more effective in resolving conflicts.

This logic alone should be sufficient to prompt a deeper assessment of psychological research and technique. Yet, considering the problem from a deeper perspective, we all know that no clear line can be drawn in life that allows us to separate our emotions from our ideas, or our neurophysiology from our behaviors. Quite simply, we are all emotional beings and must discover their inner logic if we do not want to be trapped or driven by them.

Deeper still, when we distinguish, simplify, or isolate different aspects of a problem, we disregard their essential unity, and with it, countless opportunities to resolve critically important conflicts and disagreements, simply by approaching them with a pre-determined, single-minded, *particular* point of view, no matter how profound or useful it may happen to be.

There is an equally simple, inexorable, and logically rigorous analysis based on a few simple philosophical assumptions that point us in a different direction. It goes like this: No two human beings are the same. No single human being is the same from one moment to the next. The interactions and relationships between human beings are complex, multi-determined, subtle, and unpredictable. Conflicts are even more complex, multi-determined, subtle, and unpredictable. Most conflicts take place beneath the surface, well below the superficial topics over which people are fighting and frequently hidden from their conscious awareness. [For more, see my book, *The Crossroads of Conflict: A Journey into the Heart of Dispute Resolution*, Janis Publications 2006.]

Thus, each person’s attitudes, intentions, intuitions, awareness, context, and capacity for empathetic and honest emotional communication has a significant impact on their experience of conflict and capacity for resolution. As a result, *no one* can know objectively or in advance how to resolve any particular conflict, as anything chaotic and rapidly changing cannot be successfully predicted or managed.

For this reason, it is impossible to teach anyone how to resolve a conflict. Instead, we need to develop their skills, improve their awareness and self-confidence, and help them develop a broad range of diverse ideas and techniques that may or may not succeed depending on inherently unpredictable conditions. Moreover, we have known since John Dewey that learning is accelerated when it is connected to doing. Yet we continue to train mediators based on a set of false assumptions.

As an illustration of why it is important to take a different approach to mediator learning, consider these questions, directed primarily to those who are already experienced mediators:

- What have you learned since you began mediating that you wish had been included in your training?
- What are the training values that seem to you to flow naturally from the mediation process?
- Were these values reflected in the way your training was actually conducted? If not, how might they have been?
- How did you learn the *art* of mediation -- and especially, how did you learn to be more intuitive, empathetic, openhearted, and wise?
- What skills would you like to be able to develop in the future, and how might these be incorporated in the way mediation training is conducted?
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Every mediator to whom I have asked these questions has easily identified a number of important topics that were not covered in their training, but were critical lessons that they discovered only after they started mediating. Here are some of the responses mediators in a recent training I conducted gave regarding what they wished they had been taught:

- Ways of using “brief therapy” and similar psychologically based techniques in mediation
- Detailed techniques for responding *uniquely* to each negative emotion; i.e., fear, anger, shame, jealousy, pain and grief
- Coaching skills for working with individual parties in caucus
- Methods for increasing emotional intelligence
- Ways of discovering what people think or want subconsciously, and of bringing them into conscious awareness
- Facilitation and public dialogue skills for working with groups
- Consulting skills for working with organizations on systems design

- Better ways of analyzing the narrative structure of conflict stories and a list of techniques for transforming them
- Better techniques for option generating and “expanding the pie”
- Learning when to take risks and mediate “dangerously”
- Ways of becoming more aware of and responding to the “energies” and “vibrations” of conflict
- How to develop, calibrate and fine-tune intuition, wisdom, and insight
- Techniques for surfacing, clarifying, and encouraging people to act based on shared values
- Ways of gaining permission to work with people on a spiritual or heartfelt level
- Methods for opening heart-to-heart conversations
- Knowing how to strike the right balance between head and heart
- Improved techniques for responding to negativity and resistance
- How to maintain the right balance between control and chaos
- Helping people reach deeper levels of resolution, including forgiveness and reconciliation
- Ways of addressing the underlying systemic issues and chronic sources of conflict
- How to transition into positive action, prevention, and systems design in organizational conflicts
- Techniques for maintaining balance and equanimity and avoiding frustration and self-doubt when conflicts don’t settle
- Ways of addressing our own unresolved conflicts and making sure our emotions and judgments don’t get in our way

Many of these directly concern the interplay between psychology and conflict resolution, but what is equally interesting about these responses is that the way we *teach* mediation often does not conform to the core values and principles we *practice* in the mediation process, or to what we know is successful in reaching people who are in conflict, or to what stimulates our learning, or even to how we would most like to be taught.

As I have described elsewhere, values are essentially priorities and integrity-based choices. They can be found both in what we do and what we do not do, in what we grow accustomed to and what we are willing to tolerate. They are openly and publicly expressed, acted on repeatedly, and upheld when they run counter to self-interest. In this way, they are *creators* of integrity and responsibility, builders of optimism and self-esteem, and definitions of who we are. They become manifest and alive through action, including the action of sincere declaration.

At a deeper level, we all communicate values by what we do and say, by how we behave, and by who we become when we are in conflict. While these values are often inchoate and difficult to articulate, beneath many commonly recognized mediation practices we can identify a set of values, even *meta-values* that, in my view, represent our best practices as a profession. Our most fundamental values appear and become manifest to others when we:

- Show up and are present: physically, mentally, emotionally, and spiritually
- Listen empathetically to what lies hidden beneath words
- Tell the truth without blaming or judgment
- Are open-minded, open-hearted, and unattached to outcomes
- Search for positive, practical, satisfying outcomes
- Act collaboratively in relationships
- Display *unconditional* authenticity, integrity, and respect
- Draw on our deepest intuition
- Are on both parties' sides at the same time
- Encourage diverse, honest, heartfelt communications
- Always act in accordance with our core values and principles

- Are ready for anything at every moment
- Seek completion and closure
- Are able to let go, yet abandon no one

While not everyone will accept these values, merely articulating, debating, and engaging in dialogue over them, considering how to implement them, and deciding to commit and live by them, will automatically give rise to a higher order of values – the value of *having* values. Practicing them over time -- not solely in what we say or do, but how we say and do it, will initiate to the highest order of values – the value of *being* what we value.

By living our values, we become what we practice, integrating who we are with what we preach and do. This is the deeper message of mediation: that by continually and collaboratively searching for positive solutions to conflict, bringing them into conscious attention, living them as fully as possible, and developing the theories, practices, processes, and relationships that allow others do the same, we enhance our relationship to the mediation process as a whole and build a collaborative community of reflective, emotionally intelligent practitioners.

Thus, to be fully realized, our values have to be reflected not merely in our practice, but in all aspects of our personal lives, including the ways we ourselves handle conflict, teach mediation, and interact with those who wish to learn it. Yet many mediators' lives are filled with intense adversarial conflicts, many mediation trainings are conducted in ways that do not conform to its core values, and many mediators interact with students in ways that undermine their ability to learn.

For example, when trainers do not acknowledge or respect differences between cultures, styles, and diverse approaches to conflict; when they try to promote one-size-fits-all models as applicable to all circumstances; when they downplay and ignore the role of emotions, or heartfelt communications; when they do not pay attention to the diverse ways people learn, or even to the ways people are seated in the classroom; when they ignore the systemic sources of conflict; or when they fail to listen and learn from those they are teaching, we can say that the processes they are using are not congruent with the values they espouse. Here is a simple, concrete illustration.

Howard Gardner at Harvard University has famously described the diverse ways people learn using the idea of “multiple intelligences.” The core of his theory is a recognition that people think and learn differently. Gardner believes there is not “one form of cognition that cuts across all human thinking,” but that traditional notions of intelligence are misleading because I.Q. tests focus primarily or exclusively only on two areas of competence: logic and linguistics. Instead, Gardner believes there are eight areas of intelligence that account for the range of human potential:

1. *Linguistic Intelligence*, or the capacity to use the written or spoken language to express ourselves
2. *Logical-Mathematical Intelligence*, or the ability to understand scientific principles or logic systems
3. *Spatial Intelligence*, or the ability to conceptualize spatial relationships
4. *Bodily Kinesthetic Intelligence*, or the ability to use our whole body or parts of it to solve problems, make things, or express ideas and emotions through movement
5. *Musical Intelligence*, or the ability to “think” in music, be able to recognize patterns, and manipulate them
6. *Interpersonal Intelligence*, or the ability to understand other people and form and build strong, productive relationships
7. *Intrapersonal Intelligence*, or the ability to understanding ourselves and know who we are, including our strengths and limitations
8. *Naturalist Intelligence*, or the ability to see and understand the interrelationship and interdependence of all living things and have a special sensitivity to the physical features of the natural world

While each of us may have quibbles with this list and perhaps wish to suggest alternative forms of intelligence, such as emotional, heart or spiritual, and political intelligence, it is clear that most mediations and conflict resolution training programs narrowly focus on linguistic and logical skills and ignore other forms of intelligence, intervention styles, and conflict processing skills that might contribute significantly to success in mediation.

Even the word “training” is problematic. There are, for example, fundamental differences between various approaches to teaching and learning, and these same differences can be found in the ways we seek to resolve conflicts. We can distinguish, for example:

- *Lecture and Recitation*, which involve rote memorization and recall of facts, and result in a transfer of information, yet often end in testing and forgetting
- *Education and Courses*, which involve exposure to ideas, specialized theories and practical techniques that result in learning and understanding, yet often end in disputation and Talmudic clashes of opinion over minutia

- *Training and Workshops*, which involve group discussion and result in improved technical skills, competency and confidence, yet often end in mechanical repetition, inflexibility, and inability to handle problems not addressed in the training
- *Practice and Exercises*, which involve role plays and practical drills, and result in increased self-confidence and some degree of flexibility, yet often end in improving skills without also improving the understanding needed to successfully implement them
- *Personal Development and Seminars*, which involve discovery, self-awareness, and self-actualization, and result in authenticity, integrity and personal transformation, yet often end in non-engagement with others
- *Meditation and Retreats*, which involve insight and concentration, and result in wisdom, spiritual growth, and transcendence, yet often end in nothing ever changing or being accomplished, and a lack of interest in improving others

These diverse forms of learning invisibly shift our focus, activity, and forms of interaction from an orientation toward memorizing, to one of knowing, to one of understanding, to one of doing, to one of being. As we transition to deeper levels of capability in our practice, understanding, and commitment to conflict resolution, we require learning methods that allow us to develop more collaborative, democratic, self-aware, and diversely competent skills as mediators.

While every learning process has a value and each has times and circumstances that justify and make it successful, in my experience, those that improve our ability to work through the *emotional*, psychological, and heart-based underpinnings of conflict – especially our own – create the greatest leverage in terms of the development of values, integrity, and overall capacity building.

Approaching the problem of mediation competency, learning, and training design from this point of view suggests a number of interesting questions we can begin asking prospective mediators, in order to improve their psychological awareness, develop their emotional intelligence, and facilitate the design of more advanced training programs. For example:

- What are the most significant transformational learning experiences you have had?
- What made them significant or transformational for you?
- What did these experiences have in common that you might want to incorporate into a training experience?
- *Why* attend this training? What do you really want to achieve?
- What are your larger goals and priorities, and how might this training support them?

- What could block your ability to achieve these goals and priorities, and how could these obstacles be anticipated and overcome?
- What specifically do you want to be taught? How did you learn *that*?
- What do you think will be the best way of teaching what you want to learn?
- Who else should be trained? Why them? Who should not be trained? Why not?
- Who would be the ideal trainer? Why? Who would not? Why?
- What values, ideas, and skills do you most want to learn?
- How might those values, ideas, and skills be built into the content and process of the training?
- How will the training actually result in changed behavior? How should you be supported in changing?
- How might others support you in changing?
- Will the training lead to improved systems, processes and relationships? If so, how?
- How will you learn the *art* of what you want to do?
- Should the training encourage you to participate, think critically, and feel free to be yourself? How?
- How might your future needs and problems be anticipated in the content and process of the training?
- How will you know whether the training has been effective?
- Based on the answers to these questions, how should the training be designed and conducted?

The answers to these questions may collaterally help stimulate a number of potential growth areas in the field of conflict resolution, such as marital mediation between couples who would like to improve their relationship using mediation skills; applying conflict resolution systems design skills to a broad range of social, economic, and political issues; mediating the connections between families, community groups,

workplaces, organizations; integrating conflict resolution skills into teambuilding and project management workshops; extending school mediations to encourage parents and teachers to work through their personal conflicts along with the children; working with a broad range of hospital and health care disputes that flow from the need to process grief, guilt, rage, and loss; and new ideas for resolving intractable international conflicts.

Part of the object of a truly *meditative* approach to education ought to be to encourage students to become responsible for their own learning, and teachers to be responsible for finding the deepest, most profound and effective way of supporting them. One way of doing so, inspired by paradoxical approaches to therapy, is by asking students to complete the following questionnaire *before* their training, then discuss their answers:

Pre-Training Evaluation

Please rate your expectations regarding the session we are about to have, and how you expect to participate on a scale of 1 to 10, 10 being highest.

1. *How valuable an experience do you plan to have?* (1 = terrible, 10 = fantastic):
2. *How participative and engaged do you plan to be?* (1 = asleep, 10 = extremely excited):
3. *How much risk do you plan to take?* (1 = none, 10 = serious adventure):
4. *How open, honest and constructive do you plan to be?* (1 = silent, 10 = painfully honest):
5. *How willing are you to listen non-defensively and non-judgmentally to others?* (1 = doing email, 10 = completely open):
6. *How responsible do you feel for your own learning?* (1 = not at all, 10 = entirely):
7. *How responsible do you feel for the learning of others?* (1 = not at all, 10 = totally):
8. *How committed are you to implementing what you learn?* (1 = amnesia, 10 = complete commitment):

[Based in part on work by Peter Block]

Applying these ideas to conflict resolution, we all know intuitively that mediators are not immune from conflicts, and that we will become better dispute resolvers by working through and resolving our own conflicts. It therefore makes sense for us to incorporate into the mediation training process the psychological components that will allow people to work directly on resolving their personal conflicts. At present, few mediation programs allow or encourage them to do so.

In the end, we *are* the technique. As imperfect as we are, it is who we *are* that forms the path to resolution, and that same path invites us to become better human beings, simply in order to become better mediators. This realization returns mediation to its *human* origins and essence, as an exercise not solely in empathy and compassion, but in creative problem solving, emotional clarity, heartfelt wisdom, and social collaboration.

Hopefully, these practices will encourage us to look more deeply and wisely at the world within, as well as the world without, and assist us in finding ways to translate our own suffering into methods and understandings that will lead to a better, less hostile and adversarial world.