



Nora



Rebecca

The Joint Session at Last

As a horse trainer, I try to prepare a mount that has never been ridden so it will not buck or rear. I do not mind if the horse bucks a little, as long as the animal is moving forward and does not stop. It is when a horse stops moving forward that bucking or rearing can become dangerous. Only after mounting for the first time will I know if the horse has been sufficiently prepared.

Likewise, only after parties involved in a dispute are brought into a joint session can a mediator be sure that the preparation during the pre-caucuses has been adequate. The conversation between the disputants may at times heat up a little, but contenders should never cross the line so that psychological safety disappears.

In terms of mediator interference, referees provide a useful metaphor. People do not generally watch a soccer match—or any other type of competitive event—to observe the referee. They come to watch a game. Similarly, while making the necessary calls and taking all the necessary steps to keep everyone safe, a mediator should interfere judiciously.

As we shall observe, the joint session between Nora and Rebecca presents a number of difficulties. These include intense

frustration, raised voices, and much tension, yet the contenders show a high amount of respect towards each other. Although they do not always succeed, one gets the feeling that the women are trying not to say anything hurtful to each other. Each attempts to communicate her own anguish and explain how she perceives the other, without being purposely unkind. Certainly, this was not one of the easy joint sessions described earlier in the book, in which the mediator only had to introduce the next topic and write down areas of agreement.

Our main objective is not, as was stated earlier, to analyze the mediator's behavior, but rather to point out how people who have been involved in a dispute can address each other and begin to resolve problems with minimal third-party intervention. Lack of intervention reflects the mediator's confidence in the disputants' willingness and ability to work out a solution on their own. Nevertheless, in this case, the noninterference model was pushed beyond its useful limits. Clearly, it was a risky approach in which the third party chanced a possible disaster—such as having one of the disputants leave the joint session.

The mediator would have done well to interfere sooner. This could have been done without necessarily taking much time. Also, the frequent changes in topics without resolving them certainly added tension to the dispute. In retrospect, perhaps a third set of pre-caucuses would have improved the disputants' preparedness.

Perhaps, for all these reasons, Nora and Rebecca's case illustrates how parties can control their own conversation despite trying circumstances. It should be clear that Party-Directed Mediation allows for differences in *levels of interference* during the joint session, taking into consideration the abilities of the disputants and the circumstances of the case as well as third-party preferences.

Several weeks have gone by since the last set of pre-caucuses. The time lapse has continued to help the disputants to soften their stances towards each other. The mediator checks in briefly with each individual before the joint session to determine if any new

issues have developed. Nora and Rebecca seem anxious but are ready to speak to each other.

The conference room is set up so the parties can sit facing each other at one end of the table and the mediator can create distance by sitting at the other end (Figure 5–1).

MEDIATOR: Welcome, and thank you for being a part of this process. Thank you for the time that you've put in. It's taken a long time to coordinate everybody's schedule as well. I want to start by summarizing the positive aspects you have mentioned about each other.

After going through the lists of the women's positive traits, the mediator turns to Nora and asks her to share with Rebecca her perspective of the incident involving Larry, the lab assistant.

NORA: First of all, do you know what I'm talking about? Or do you have any clue? [Cheerfully.]

REBECCA: No, I don't. There's been a number, so tell me which one. [Cheerfully.]

The conversation continues in a more serious tone.

NORA: Well, the one that I really feel bad about is when both of us had signed up for the lab assistant, and Larry was making the transition from . . .

REBECCA: Oh.

NORA: . . . working for everybody to being assigned full-time to help me. And there was some sort of mix-up on the sign-up sheet.

REBECCA: Well, no . . . I signed up first. There wasn't a mix-up, but go ahead.

NORA: Well, I . . .

REBECCA: That was your point of view, but go ahead.

NORA: Well, I don't really remember exactly . . .

REBECCA: Actually, it's not a really big, gigantic thing for me.

NORA: Well . . .

REBECCA: It was an issue. Right?

NORA: It was an issue, and I felt really bad how it all came down. There was a lot of stuff that happened at that time. I felt what I was trying to do got really misinterpreted. I don't remember all the details of that day, and I suppose that if it was really important we could try and reconstruct them. But anyway, I thought I had signed up for Larry, but it also turned out that precisely that day, Ken Matsushita decided Larry was going to work full-time for me. What I had worked out with Larry was that, because you also needed him, he was going to help you. Just not that day. At another time. But we couldn't find you. Larry looked for you, and I looked for you, but you were upset. We were going to get your work done, but at a different time, but we couldn't get ahold of you to let you know that. I was really trying to make sure that it got done, but you had already written me off. You assumed I didn't care about your position when I really did. I've never been able to communicate that to you, and there are a lot of other things that wind up being interpreted as if I don't care about you or your work. And that is not how I feel! That's really not how I feel!

Rebecca listens intently, sometimes making eye contact with Nora and sometimes staring at the table between them. Nora is combining several issues in her comments—not only the incident involving Larry but also Nora's sincere caring about Rebecca. The hurt Rebecca feels because of this long conflict, however, is simply too deep to permit her to accept the partial apology offered by Nora.

Nora's expression "you had already written me off" may also have contributed to Rebecca's rejection of the apology; it transferred much of the fault for the misunderstanding to Rebecca.

When someone has been hurt, the person frequently has a need to express that pain. Hearing about the pain we have caused

another causes us discomfort. Yet, we need to acknowledge when we have hurt another.

REBECCA: Well, but in fact on several occasions, it's given me, and other people I've talked to, the impression that your work is the highest priority and that my work is not significant. These are things that have been alluded to, and basically said. Other people have heard, too, but I've gotten pretty much past that. You're just wrapped up in what you're doing, and you don't really know what I do . . . and that's that. I mean, you're entitled to your opinion.

NORA: But that's not my opinion.

REBECCA: Well, it's been expressed on several occasions, so I interpret it as your opinion. So . . .

NORA: Well, I mean . . . I'll do what I can to help you understand how I really feel and . . .

REBECCA: OK.

NORA: But . . . I mean, I can't make you believe something you don't want to believe.

In the pre-caucus, we heard Nora explain that at this period in her life, she does not want to apologize for things that are not her fault. Her comment about not being able to *force* Rebecca to believe what she does not want to believe is a defensive one. Because Nora is struggling with her own emotions, it is difficult to expect much more from her at this point in the interaction.

REBECCA: [Her voice begins to crack and show higher levels of stress.] It's not that I want to believe or not believe. I just know what I've heard . . . and there are not multiple ways to interpret it. So, it's just how I heard . . . but it's not what I would call a gigantic issue.

NORA: [Sighs.]

REBECCA: [More calmly.] The issue that I had—the latest thing that started all this—is getting you to turn in the stupid data I needed so I could complete the report, because it was just part of my job. And I was trying to do that job, not because it's my favorite thing to

do, not because I don't have anything else to do, but because I'm trying to help Ken, who is really short-handed. I'm trying to support him. I just needed that thing done, so I could check it off my little sheet. I got yelled at a couple of times . . . and I didn't think that I deserved that. I was just doing a job. It wasn't even personal. It was basically your responsibility to do it . . . It was my responsibility to make sure it got checked off. [Rebecca laughs and with her hands makes a motion of checking off something from a list in the air.] And it took months . . . and that was the initial issue that brought us here—that ridiculous report, which is unfortunate but has now been resolved. It's taking responsibility for following up after your own work. I don't even know why it was important, but I was told to take care of it, and that's what I was doing. [More calmly.] So, I didn't mean to . . . ride your case. It didn't seem unreasonable to me either. But I realize you have a lot of things to do, and details like that are just not the highest priority. I know that.

Rebecca's last comment about such *details not being the highest priority for Nora* could have caused a defensive reaction in Nora, but fortunately it did not.

NORA: Well, I had no clue . . . I had no clue . . . maybe somebody said it, and it went right over my head. Or I was in a fog . . . or . . .

REBECCA: Yeah, it did, because I said it three times, plus Susan said it.

NORA: Well, I don't remember being given the responsibility to turn in that data . . .

REBECCA: I ended up collecting most of it, except for the stuff that only you had . . . That was just a little piece. I did everything else, including getting some of the data from your assistants. I just needed for you to . . .

- NORA: That never got communicated to me.
- REBECCA: Well, I . . .
- NORA: I had no idea . . .
- REBECCA: Well, I personally communicated that to you several times, and to your assistant, and Susan did too. Let's face it, some things are mundane, they're not important, they're irritations, but they're part of being a team. Everybody is in this together, and we have to do our little parts to keep this thing running. That's the only point I wanted to make, really. I didn't appreciate getting yelled at. I didn't deserve that . . . because you're my colleague. You shouted at me before, when we were all cleaning up the lab together. I really didn't appreciate that. Because you're not my superior. You're just my colleague. I feel like I try to treat you with respect. [Rebecca's voice begins to break with stress.] I don't need any more yelling or dumping on in my life. I don't need it. [More calmly now.] I don't need it from anybody in this lab. I just don't see that it belongs in the workplace. Does that make any sense?
- NORA: [Sighs.] It makes sense from your perspective. I don't know how to, exactly, say all of this right. [Voice begins to break.]
- REBECCA: [Cheerfully.] Neither do I. We're just mucking through. [Both laugh.]

Both parties have gotten through some initial turbulence in the joint session. Both have shared some of their feelings. Each could have expressed her thoughts in a more effective way, but the mediator feels they are making progress on their own and does not interrupt.

- NORA: How it feels to me . . . And we all have blind places where we come across way different than how we really intend to . . .
- REBECCA: Absolutely!

- NORA: And I think I'm caught in one of those things right now. I think that 20 percent of what you say is what I did, and the rest of it I'm thinking, "*Whaaat?*"
- REBECCA: Well, you could ask the opinions of people that were in the lab that day when you lit into me, and you could see if it's 20 percent . . .
- NORA: And I . . . I . . . [Trying to interrupt.]
- REBECCA: And I'm making up 80 percent? You'd find out, talking to the individuals present, that that was not the case. I wasn't making a single thing up. I wasn't misinterpreting one single thing.
- NORA: [Softly.] Well, I guess then . . . You know . . . I guess . . .
- REBECCA: So, if you were interested in finding out the specifics . . .
- NORA: Then I have to go around to all the other people that you discussed it with?
- REBECCA: No, not the people I discussed it with, people who were present at the time that it happened. Obviously, you think that 80 percent of what I'm saying is being colored . . . It's very unprofessional behavior, in my opinion. [Laughing.] We can lay into our kids sometimes, but it's really inappropriate to do that with a colleague, a professional colleague. Obviously, there can be an interpretation on my part, but it's absolutely what happened. Susan was there, Jim was there, Rodrigo was there, and I don't know who all was there. [Now more tensely.] I'm not making up 80 percent of what I'm saying.
- NORA: I didn't say you were. But . . .
- REBECCA: I interpreted that's what you said.
- NORA: Well, I remember . . . [Sighs.] I'm feeling as if you're saying that the way you saw it, is, by golly, the way it was, and if I feel differently I'd better go and check it out with everybody else to find out that you were right and I was wrong.

After Nora and Rebecca converse for a while, Rebecca asks an important question based on something Nora said earlier.

REBECCA: What do you envision by peace and reconciliation?

NORA: My number one thing I want to express to you is that I really, honestly do care about you as a person, and I care about your work. That is genuinely how I feel, and I know that you don't believe that.

REBECCA: [Sighs.]

NORA: I've no idea how to get over how you feel about that, because that's not how you perceive me. I guess I could go through every incident and try and show . . .

REBECCA: [Softly.] That the intentions were different.

NORA: I don't think that would be very productive.

REBECCA: No, I don't think it would be very productive. It would be a waste of time. I would like a professionally based, respectful relationship. Just because you're a human being, and I'm a human being. For that reason alone. If there could be some hearing on both sides . . . I like you as a person, and that's a fact. Maybe, if we can feel straight enough with each other, then we can talk about it instead of letting it build up. That's my vision. That was my hope coming into this. Discussing the specific issues would be a waste of time. That's where I would like to go. Does that make any sense?

NORA: I . . . I . . .

REBECCA: Or do you hear what I'm saying? Or is it difficult to . . .

NORA: I . . . I hear what you're saying. I'm feeling [Sigh.] . . . I'm feeling judged. If you could hear my perspective on at least one of the old incidents . . .

REBECCA: Please! I mean, feel free.

NORA: You know, because I'm feeling [Sigh.] . . . There's no point for me to explain how I feel about something, because I'll be told that it wasn't true.

REBECCA: Then, that would not meet my objective—to have a respectful, open relationship—if I wasn’t going to listen to anything you said and try to interpret things from your point of view.

NORA: Oh, good, then.

REBECCA: I’m sorry if I’m coming across as judgmental. I have interpretations of how things went. My objective would be to clear up the clutter and start with this new sort of collegial relationship that we could have . . . without any undertones of anything else.

NORA: That would be nice.

REBECCA: Yeah, that’s what I’m here for. So, even though you said it wouldn’t be beneficial to go into any incidents in particular, well, feel free. If it helps me understand . . .

An Issue of Authority

Nora goes on to explain that the request for information for the year-end report was a surprise to her. Rebecca, in turn, recounts some of the many attempts to communicate with Nora on this issue. Nora gives the impression of someone who is trying hard to understand herself. She has indicated she resents the idea of Rebecca acting as her boss, a theme that will resurface later in the joint session.

REBECCA: So, how do I reach you in the future? What would be effective?

NORA: Uh, it’s a little bit of a challenge for me when I don’t know where something is coming from. If Ken comes to me and says, “Nora, I need this done,” then it’s OK. But if somebody else comes to me and says, “Here, you need to do this,” then I go, “*Whaaat?*”

REBECCA: [Sighs.] I’m not trying to come off [Sighs.] . . .

NORA: I feel like I’m taking orders from you.

REBECCA: Is that the problem? That you think I’m ordering you? Is that an issue?

- NORA: I . . . have to work that through. If it comes off like that to me, then I have to work through some stuff and say to myself, “OK, Nora, you can do this.”
- REBECCA: So, you have . . . with everyone . . . or just with me?
- NORA: No, no, no! It’s just . . . If anyone who isn’t my boss comes with an assignment, I’m going to respond with an “Oh, really? Why?”
- REBECCA: Now, knowing me for all the years you’ve seen me operate, would I come up to you and say, “Do this,” without any explanation? “Nora, get this done!” And walk out the door? I mean, I’m a talker. It takes me forty-five minutes to say what anybody can say in ten and a half seconds.
- NORA: Maybe that’s how it got lost. I don’t know.
[Laughing.]
- REBECCA: It’s either a resentful pseudo-authority thing, or I blabber so you miss the point. [Laughing.]
- NORA: Or how about “Can you come and let me show you something?”
- REBECCA: So, you’d like me to physically take you to the scene and hear it itemized point by point?
- NORA: It would help me feel that we’re more of a team . . .
- REBECCA: OK. [Tone turns to one of frustration.] I’ll try to make my explanations succinct, make the chain of responsibility clear—that it’s not originating from me. I’ll try to take you physically to the place . . . Do you want it in writing, too? Or is the writing ineffective?
- NORA: Rebecca, Rebecca, no . . . What I’d like . . .
- REBECCA: Yes?
- NORA: . . . is to feel that I’m part of the team and not an underling . . . I’ve had a whole string of flakes working for me . . .
- REBECCA: [Frustrated.] But now, Nora, the flakes are 100 percent your responsibility. I approach you on issues, and you say, “Flake Number One, Flake Number

- Two,” but you’re their supervisor. It’s your job that they know the rules of the lab. Right? Ultimately, isn’t the responsibility with you and not with them?
- NORA: I’m feeling lectured, and I’m not feeling like it’s a collegial thing.
- REBECCA: Do you understand the point I’m making?
- NORA: Of course I understand, but your tone . . .
- REBECCA: I’m trying so hard . . . That’s the problem [Rebecca closes her eyes and lifts her hands towards her face, as if she was making an immense effort.] . . . I’m trying to make an impact . . . because I feel like . . . it’s just so difficult. OK. I apologize, if I was being . . . if I was lecturing.

The conversation continues in a very friendly manner for a considerable length of time. Rebecca acknowledges it would be frustrating to work with some of the assistants Nora has had in the past. Nora recognizes that, ultimately, those who assist her are her responsibility. The tone of the women’s conversation is lighthearted, with some laughter and lots of give-and-take. Rebecca brings the conversation back to the issues surrounding the conflict.

- REBECCA: I’m meddling? Is there something in my presentation that’s irritating, basically?
- NORA: I think the last statement is probably true. The first one isn’t.
- REBECCA: How I work with people is irritating?
- NORA: I would have to say, yes.

Rebecca and Nora begin to negotiate how they want to approach future difficulties. Mutual understanding increases despite the lack of a clear path.

- NORA: I feel like you come out with these mandates . . .
- REBECCA: Excuse me! Mandates!?
- NORA: Yeah! I’m going to use that word, because that’s the way it comes across to me.

- REBECCA: Like what's a mandate? What have I mandated you to do?
- NORA: OK. I feel like you lecture me. You come across as "you shall" or "this is what I want you to do." I'm not saying that's what you're doing, but that's the way it comes across to me.
- REBECCA: [Sighs, moves her head half way between a nod and a shake, a searching nod.] Fine line . . .
- NORA: Hmm. OK.
- REBECCA: [Nods.]
- NORA: And then . . . OK . . . but . . . and then I feel there isn't any room for me to say, "Can we bring another perspective to this?"
- REBECCA: So, you need me to approach you in a way that's nonthreatening, a nonmandating sort of way . . .
- NORA: To where I feel I'm part of the team, and I'm not just being told what to do . . .
- REBECCA: Like I think I'm your supervisor and have a right to tell you things?
- NORA: Or to lecture me [Making her voice deeper.] "Thou shalt . . ."
- REBECCA: Do I actually . . . ?
- NORA: Maybe not in those words, but that's the way it comes across to me.
- REBECCA: I think it's certainly not with those words, certainly not with that intention . . . I have a certain intensity to me . . .
- NORA: As do I . . . which . . .
- REBECCA: So, I'm coming across as a dictator . . .
- NORA: Not as a colleague . . . As my mother . . .
- REBECCA: [Sighs full of distress.] Ouch.
- NORA: I feel like you try to parent me . . .
- REBECCA: All right.
- NORA: And as a colleague, I really resent that.
- REBECCA: OK. Watch the tone of voice and the words?
- NORA: Approach me as a colleague who is an equal.
- REBECCA: Which is, by the way, what I've asked you for.

[Begins seriously but ends cheerfully.] I make a point of always asking for things with a *please* and a *thank you*.

NORA: Just a *please* and *thank you* doesn't necessarily soften the . . .

REBECCA: So, I'm too direct in what I say?

NORA: Direct is not the word . . . Too parenting. You're the *only* person making an issue out of it.

When Nora says, "You're the *only* person . . ." the mood of the conversation takes a sudden, ominous turn. Rebecca seems hurt and irritated. After a long pause, Nora says she would like to bring up another subject. She assures Rebecca that, even though it does not seem related, everything will be connected in the end.

Spending Time to Know People Better

NORA: One thing I have learned from this process, where a light bulb really went off in my mind on how to relate to others in this lab—because I've always been one to dive into my work, so I get really involved in what I'm doing and minutes become really, really precious—is that I don't take any time to chit-chat.

REBECCA: Right.

NORA: But . . . the light bulb that came on in my mind, through all of this, is that chit-chat is really important . . . and that's never been my perspective before.

REBECCA: Mmm . . . OK.

NORA: Because one of the things that was brought up is that I feel there's a lot of women in the lab now, and there's kind of a network, and I was starting to realize that everybody else knew what everybody was doing this weekend, and I didn't. You know? When I tried to join someone's conversation . . . when they were talking about so-and-so's backpacking trip, or surfing experience, I didn't feel welcome in that, because I really hadn't made an

effort to be part of that little group. I'm realizing that it's in the context of people who are friends—not necessarily buddy-buddy, where we do everything together outside of work, but friends more than colleagues—that these kinds of things get resolved and don't ever become irritants. And then it isn't necessary to put notes in boxes, because . . . because

. . .

REBECCA: You can just go and say it to them . . .

NORA: Yes. You can just go up and say, "Hey, let's figure out a better way to do this." And it doesn't become a note in a box, a mark on a record . . . It just becomes friends working together because we care about each other and we like each other . . . and . . .

REBECCA: That's where I've tried to come from.

NORA: But, I don't feel I've been a part of that little group. I don't feel those channels have been open . . . Like the whole thing with the lab cleanup, ideally, would have been, "Hey, guys, let's take twenty minutes at lunch today, and let's go and attack the lab and clean it up."

REBECCA: I spent two and a half hours cleaning it by myself.

NORA: But if I had known . . . in a different paradigm, then you wouldn't have had to spend the two and a half hours. We could have done it together, could have had a great time, and done it in an hour. That's what I want!

REBECCA: Boy . . . you're very difficult to approach like that . . .

NORA: I know! I've been . . .

REBECCA: It wouldn't occur to me to approach you like that, because that avenue has never been available.

NORA: Because a lot of times I'm really busy. I'm running from here to there. But I'd like for you to think of me as more than just a colleague . . . because that's how I feel about you. I really do.

REBECCA: I feel we have an excellent lab, and I enjoy every single person in this lab . . . and I think everybody has some wonderful gifts that they bring to this job . . . I certainly don't exclude you from that thinking in any way, shape, or form. But sometimes I do feel as if I'm talking to a wall.

Suddenly, Nora goes on the attack. She somewhat aggressively brings up issues raised by Rebecca early in the conversation, as if the two parties had not spoken at all during the past hour. Rebecca, for the first time, looks towards the mediator, as if to ask for help. Rebecca tries to tell Nora that some of her comments have been hurtful.

For the next few minutes, the conversation heats up considerably. Much of what was previously discussed is repeated or summarized. The dialogue, despite its more stressful and agitated nature, is a positive one. Both individuals are still exchanging information and trying to come to an understanding.

REBECCA: Am I that unreasonable? What have I ever done? I'm expressing some surprise here, because it's foreign that I would say, "It is time to clean up the lab! March!" Let me assure you, that's not me. I'm not that naive or ridiculous. My kids don't . . . My dog doesn't do what I tell her to do . . . [Laughs.]

NORA: [Laughs.]

REBECCA: [Agitatedly.] You know, people are people! I try and cut people slack, because I sure pray they're cutting *me* slack. You know . . . [Calmly.] I'm sorry. I don't know how you got that impression. It never was in my mind.

NORA: OK. I'll accept that.

This subject is dead for the moment. Despite Nora's assurance that she would "accept that," it is clear that Rebecca is hurt. There is silence.

Another Chance to Remedy Dysfunctional Communication

Having come to a stop in the conversation, the mediator suggests that both parties focus on how they come across to each other. The conversation continues with the calm and positive give-and-take seen earlier.

REBECCA: [Makes a facial expression like “Where has he been?”] I think we covered it, didn’t we? Unless there’s more [Points to Nora.], I’d like to hear what else . . .

MEDIATOR: We have done some of that, but . . .

REBECCA: Nora, are there . . . some other things? Because this is a good time. It’s hard to get this kind of time to just chat in the lab, and with a facilitator . . . OK [Laughing.] and everything. So, if there are other things that I do . . .

NORA: Well, I feel you’re always mad or frustrated with me.

REBECCA: What do I do that makes you think that?

NORA: [Nora sighs, lowers her head, and buries it into her hands, as if searching for words.] I know it’s going to come across wrong, but I know what I’m saying. I connect with others in the lab in a positive way, even if it’s just a wave. But with you, I wonder, “What mood is she going to be in? Is she going to respond?”

REBECCA: So you have some trepidation when you approach me?

NORA: Yeah, yeah.

REBECCA: That you don’t know what . . . ?

NORA: Whether you’re going to be friendly or not. I sometimes need those little reassurances that you’re OK with me, and that . . .

REBECCA: Well, I don’t feel very comfortable a lot of times with you.

NORA: Well, OK then . . .

REBECCA: You talk about me judging you. I feel that’s a really big thing coming back my way.

NORA: And that's what I'd like to change . . . I'd like to know what it is that I'm doing to make you feel you wouldn't want that type of relationship with me . . . To where you could say, "Hi, how's it going?" I'm not saying I want to be your best friend.

REBECCA: You just don't seem open to it. You seem irritated or something . . . But certainly we've had great conversations during the years. We have a lot in common.

NORA: Sure.

REBECCA: I've always recognized that, by the way. But it's not comfortable for me a lot of times. I don't feel—probably because you're busy or something—that there's a real receptivity to that sort of thing. [At this point Rebecca begins to speak very quickly, at higher pitch, waving her arms, as if she was acting out a great sense of urgency.] And get to your job, and do your thing, and . . .

NORA: [Laughs.]

REBECCA: Da, da, da, da, da, da, da, you know, and "Don't talk to me!" [Returns to a normal calm conversational tone.] I try to respect the way you feel and everything, but that's the way you come across. So, I'm not just going to say: [Switching for a moment to an exaggeratedly sweet voice.] "Oh, *hi!*" It's not that I'm angry. I don't want to bother you. [Rebecca's voice becomes a little strained.] You basically don't have an interest, or a want . . . Do you know what I'm saying? In a way . . .

NORA: I know . . . I . . .

REBECCA: [Continues in a strained, intense voice.] In a way, it's out of respect to you, but it's coming across as rudeness or freezing you out or something when . . . I'm going along with the cues that you don't want to be bothered . . . You've kind of said things in here.

NORA: Yeah, but . . .

- REBECCA: [Calmly.] And I'm kind of a flake that floats around. I don't want to inject myself into your life and be a negative thing.
- NORA: I understand that, but it's not how I feel. If I've got a deadline, I've got a deadline.
- REBECCA: [Kindly.] Don't we all!
- NORA: But, I guess I'm saying, I'd like to have a certain amount of warmth in our relationship.
- REBECCA: [Softly.] OK, so I'm misinterpreting some things.
- NORA: So, please don't feel that I want everybody to stay away from me. Of course, my time is really crunched—it is—but that doesn't mean that a certain amount of warmth has to take a huge amount of time.
- REBECCA: Certainly not. All right.
- NORA: And I think that would help with the other things.

Here, Nora begins to tie this conversation back to the earlier discussion of how Rebecca can obtain her cooperation. While Party-Directed Mediation is designed to allow the disputants to control the conversation, perhaps it's unfortunate that Nora changes the subject when this issue seems almost resolved. The mediator does not take the opportunity to stop and celebrate the small triumphs that had been achieved, underscore some of what has been said, and refine a few points by saying:

“Both of you have shared a little about the difficulties faced in the past, and even a certain amount of hurt that has arisen from this conflict. I have also heard each of you say some very positive things about the other person, as well as about the underlying message that you both care about each other and about the relationship.”

A few examples of what was said could have been shared. Then, the mediator could have continued: “I also sense an agreement of sorts on how each of you will approach the other in the future, in terms of the interpersonal relationship. I'm not talking about being best friends, but friendship beyond just simply a collegial relationship.”

While the parties have come to a better understanding of how each of them has contributed to the dysfunctional communication in the past, much of what has been accomplished can be overlooked without such a summary. We saw Nora jump from one topic to another earlier. She told us to trust her, that she would circle back, and now she has kept her promise.

Are You My Boss?

While taking a moment to celebrate the successes achieved at this point would not have eliminated the mounting stress, it would have reduced some of the tension and frustration the women experience next. Nora wishes for Rebecca to approach her with the *whole plan of work*, so she does not feel singled out. Rebecca has spent hours separating the portion of the project on which Nora needs to work, so as to avoid taking more of Nora's time.

REBECCA: [With frustration.] I made, on my own time, a separate sheet that includes only the issues that . . . so I didn't bother you with the part that corresponds to Tim, or . . .

NORA: And I understand that, but you see . . .

REBECCA: [With high frustration, raised voice, and a tone of supplication, as if saying, "Can't you understand?"] I made you . . . I separated the part of the report I needed from you—individual sheets for you personally. Just what you wanted!

NORA: But . . . but, Rebecca . . .

REBECCA: [With high tension.] I gave you just what you wanted! A list of things specifically related to you! I made you a separate document!

NORA: [Calmly.] OK. And I understand that in your mind you were doing me a wonderful favor but . . .

REBECCA: [Calming down.] Did you not ask me to do that? Give you specific . . . ?

NORA: No, no, no.

REBECCA: I'm sorry. I must have misinterpreted it.

- NORA: I felt singled out . . . like . . . you were saying that I was the worst person in the lab. “You have a page and a half to yourself.” If I had seen the whole five-page report and realized that my list was part of a larger report you had to do, that I wasn’t the only one that had to do a report . . .
- REBECCA: [With frustration.] Knowing you and your time . . . [With high frustration.] I didn’t even consider that as an approach. It’s a waste . . . [With frustration.] Did I specifically come to you and tell you, “Look! This is stuff you have to do because of all of your garbage.” [With high frustration.] What? Do you think there might be some sensitivity on your part in interpreting some of this?
- NORA: [In a louder voice than normal.] There certainly is! There certainly is! I feel kind of . . . Well, I can document it. I have, by far, the messiest space in this lab! [Smiling.]
- REBECCA: [With frustration.] Who do you think is in the sharp running for number two?
- NORA: Not you! [Laughing.]
- REBECCA: Oh, it’s me. And that’s the way it is.
- NORA: Anyway [Laughing.], I don’t consider it a competition.

Eventually, Rebecca returns to the issue of the year-end report.

- REBECCA: [Highly irritated.] Do you want Ken to deal with this? How can I possibly know that you need the whole report so you don’t feel I’m pointing my finger at you? [These last words are pronounced while shaking her finger at Nora.] It was just a job given to me by Ken.
- NORA: And you’re going to turn around and give assignments to other people . . .
- REBECCA: [With irritation.] That’s correct, because that’s the charge I was given. I think there’s a certain sensitivity here that you’ve got to get past! [In utter

frustration, Rebecca faces the mediator now.] Tell me what I'm missing.

NORA: [Softly.] First of all, I'd like to say . . .

REBECCA: [Highly irritated.] And how can I know? [She begins to repeat herself again.]

NORA: [Softly.] Well, I guess I'm unreasonable.

REBECCA: Nora, that's just a defensive comment! [Irritated.] How can I know that what you wanted is the big picture that takes up time you don't have?

MEDIATOR: [Softly.] Rebecca, you need to permit Nora to respond. OK?

REBECCA: [Addressing the mediator.] Oh, OK. [Irritated.] I'm trying to understand how to do something in a nonoffensive way, that doesn't put up barriers or show a lack of cooperation. [Softly, almost in tears.] That's my objective, so I'll be quiet.

NORA: [Pauses, then softly.] I . . . I can't help but think, that if I spoke to you, the way you just spoke to me . . .

REBECCA: [Softly sighs.]

NORA: [Now almost in tears.] . . . you'd say I was yelling at you. [Pause, continues in teary voice.] And I wasn't acting collegially.

REBECCA: [Irritated.] OK, I certainly apologize if that's the way I was coming across! There's a certain frustration level with . . . [Calmer.] I'm trying to see . . . [Softer, slowly, with measured comments.] I can't . . . envision the exact . . . perfect . . . approach for you. [Pauses, trying to find the words to continue.]

NORA: Rebecca, I don't know if you heard what I said.

REBECCA: You feel upset that I'm hammering on you.

NORA: I'd like to take this opportunity . . . to ask for your understanding for me that when I get frustrated . . .

REBECCA: [Intensely, still frustrated.] I'll certainly do that. [Calmly.] Except, can I say one thing? [Pauses.] When I went to talk to you in the lab, you said, "What gives you the right to come here and tell me what to do?" I consider that a little different from

expressing frustration. Even though it was wrong . . .
That's a little different from trying to . . .

NORA: [Sighs.]

REBECCA: [Intensely.] To me, it's different when someone says, "Who are you to come in here and tell me what to do?" That's a little more in-your-face type of challenging. I'm coming across as frustrated because I feel like I want to hit my head with a hammer because I'm not getting it. [Clenching her fists in frustration and moving them around.] I'm not getting how I can fix this thing.

NORA: Ken gave you an assignment, so now you have the authority to tell everybody else what to do. That mechanism was never explained to me. I didn't know you were my boss in that context.

REBECCA: [Softly.] Nora, I'm not your *boss*.

NORA: But when you give me an assignment, and you tell me that Ken gave you this responsibility, then you're my boss in that context.

REBECCA: Can't you just trust me that I wouldn't want to boss you around?

NORA: In the absence of a warm relationship . . . that's hard for me . . .

REBECCA: Why would I want . . .

NORA: Well, don't ask a question if you don't want to hear the answer. [Laughing.]

REBECCA: I do.

NORA: There are lots of people in my life who . . .

REBECCA: I want to know for me. Why would I . . .

NORA: Why did all the other people in my life do it?
[Raises her hands and laughs.]

REBECCA: But me?

NORA: I feel I'm being boxed in a corner that I don't want to be in. [Pause.] If I feel it's coming in a way that's dictatorial . . . that's hard for me.

REBECCA: Is it like an authority thing? Are you in a rebellion thing?

- NORA: Even if Ken, or the owner of the lab, flew in, it somehow needs to fit in a day. I guess I have a really hard response with anybody who waltzes into my lab area . . .
- REBECCA: *Waltzes?*
- NORA: I'm not talking about you.
- REBECCA: Oh.
- NORA: With any relationship . . . Anybody who gives me a list of assignments or says, "You're going to do this," it doesn't matter who they are. Whoa! I can't . . . You can request to get things on the list, but please help me to understand how to fit it in to the rest of the . . . Rebecca, you've got to understand. It's not you. I want you to understand a picture of my life. Right now there's a lot of people mad at me, and I wish I could get them all in one room at the same time and have them work out what I should do first. Whose project is most important? Because when someone else walks in and throws something else at me, it's hard to fit it in, and I'm not going to welcome it with open arms.
- REBECCA: [Looks down at the table.]
- NORA: Do you know what I'm saying?
- REBECCA: [Silence.]
- NORA: Ken is very good about that. He lets me rant and rave for a few minutes, and then I add it to my list.
- REBECCA: [Discouraged.] All right. I'm just trying to help Ken.
- NORA: Then let me feel like I'm helping Ken rather than helping you. It's not that I don't want to help you.

Nora's last comment could be considered offensive, but Rebecca does not seem to take it that way. Rebecca has just about given up, however, and is exhausted. The third party understands that Rebecca is facing a very difficult situation. The mediator asks a tentative question.

- MEDIATOR: Nora, you said that even if Ken, or the lab owner, asked for help, you might not be able to provide it,

because you're so busy. Let me describe a scenario. Would you prefer, say, for Rebecca to finish what she can of the report, turn it in to Ken, and say, "Ken, here's the report. It's completed, except for Nora's portion. I tried to follow up, but couldn't get her part. If you want it, get it yourself." How would you feel if Rebecca took that approach?

NORA: If that's what needed to be, that's what needed to be.

MEDIATOR: Let me just respond, as an independent bystander, OK? I'm going to extrapolate a little bit, so please forgive me if I don't use the exact words. I hear Rebecca saying that she wants to do the job right. OK? But it's also taking an emotional toll, and though she didn't say it, it's taking too much of her time. Now, we started at the beginning with a comment made by Rebecca, that she felt your program was more important than her program. In effect, uh, even though the words are different, the context now makes me feel that you're telling Rebecca that your program *is* more important than hers, because unless Ken comes over and asks for something, you're not going to do it.

Nora listens quietly while the mediator speaks. Suddenly, she becomes extremely upset, throws up her hands, and pulls back her chair, and raises her voice.

NORA: You know what? No! I'm sorry, but I'm being painted wrongly. I did the stinking job . . . OK?

MEDIATOR: Nora . . .

NORA: What we are dealing with here . . . is a relational thing . . . [Calmly.] I thought we were talking about how to deal with things in the future, without relational difficulties. I thought that was what we were talking about.

MEDIATOR: Uh-huh. All I'm saying is, in my corner—and I may be misunderstanding—I'm getting the feeling that you're saying that helping Rebecca do her job is not

a sufficient reason . . . even though Ken delegated . . .

NORA: [Waving her hand, agitatedly.] No, no . . .

MEDIATOR: Oh, I'm sorry, I'm totally misunderstanding?

NORA: You missed it completely.

MEDIATOR: I'm getting the wrong message here, so why don't you explain it to Rebecca?

NORA: [Facing Rebecca.] I understand you're helping Ken. You didn't have to separate my part and take the extra time . . .

REBECCA: The real bottom-line issue here . . . There's something . . . I don't know how to extract it . . . What is the real issue here? Underneath that stuff?

NORA: The real issue . . . The real issue is how you come across to me. And . . . or—maybe I should say it differently—how I perceive you coming across to me.

REBECCA: [Calmly.] No, there's a resentment that I gave you a list of things to do in the capacity . . . It's a resentment . . .

NORA: If you're going to be my boss in this area . . .

REBECCA: [Sighs and speaks with a barely audibly and painful voice.] I'm . . .

NORA: First of all, I need to be clear on that—in this context you're my boss.

REBECCA: I'm not your *boss*! [Sighs.]

NORA: [Intensely, moving about her arms.] Well, then, you're acting like my boss!

Nora goes on for a while using the word *boss* several times and insisting that Rebecca is her boss in these circumstances if the assignment came from Ken. Throughout the early part of the mediation—before Rebecca's frustration mounted so high—it was Rebecca who was constantly trying to find a workable solution. A line seems to have been crossed after the first hour, however, when Rebecca's patience gave way.

- REBECCA: [Irritatedly.] What if the situation were reversed, and you had to come up with this report? Do you think you would be running around as everybody's boss?
- NORA: In that context . . .
- REBECCA: [Irritatedly.] Is that what you would actually be doing with the people in this lab, bossing them around? Being the big boss, writing this stuff . . . [Rebecca puffs her chest and draws with her hands.] Is that what you would think?
- NORA: [Intensely.] If it's to be done in that type of context . . . I don't understand . . .
- MEDIATOR: Let . . .
- REBECCA: [Sighs, then speaks softly.] I'm done. I'm finished.
- NORA: I don't understand.
- REBECCA: I don't either.
- MEDIATOR: I can see what Rebecca is saying. The word *boss* is a little bit strong—more than strong—because she is not your boss.
- REBECCA: It's a connotation . . .
- MEDIATOR: It's a little strong . . . to me.
- NORA: But I feel that what she's saying to me is pretty strong—that when she comes to me with something Ken has given her, it's not a request; it's a requirement.
- MEDIATOR: Can a requirement come from a colleague on behalf of somebody else, without . . . ?
- NORA: If it comes in the context of a colleague . . . [In a broken, teary voice.] My interpretation of *boss* is someone who gives you directives and may or may not have any consideration for how you're going to get them done.
- REBECCA: [Highly irritated, shouting.] Fine! OK! I've just had enough! It's not even something anybody cares about! I understand it's a stupid little job! I understand that! [Sighs.]
- NORA: Well . . . I . . .

REBECCA: [Highly irritated, shouting, not at Nora, but in general.] And I'm so *sorry* that I provoke people by making a request in such a direct manner! I'll change! I'll work harder . . . put more time in figuring out how to get the job done in a more efficient manner, and I'll just figure out how everybody needs to be approached to do a *stupid* job that means extra time and that's of no benefit to me, or my job, or my paycheck . . . That frustrates me! Because it's stupid! [Pause.] I don't need it! Ken needs it. *He* needs it! [Raises her hand above her head.] He's up to *here*! Have you seen how the guy *looks*? He looks older. I mean, he's not even fun anymore. [Sighs. Then, intensely, but much more calmly.] But I can do a better job of communicating these issues. I sincerely say that I will, because it will get everything done more efficiently, and then I'll not have to deal with it. That's good . . . that's a good resolution.

Just when things are looking particularly difficult, Nora surprises us again.

NORA: [Gently.] Well, Rebecca, can I help you with it?

REBECCA: You want to take over the responsibility for the year-end report?

NORA: No . . . no . . . no . . . no . . . no!

REBECCA: [Calmly.] Yeah, you're not stupid. You're not going to do anything you're not getting any credit for doing.

NORA: [Laughing.] Yeah, yeah . . . Is the fox going to guard the hen house? No . . . no . . . no . . . But I can see some ways that we can work together on it. Divide and conquer. I agree with you that Ken shouldn't have to do it all, but you shouldn't have to do it all, either. It's way too big of an assignment.

REBECCA: This has turned into something a little more intense . . .

- NORA: This has turned into a monster and too much for one person to tackle. I'm saying, why don't we share it, so you're not stuck with the whole thing? Because you can't take the stress of it. Your job and your life is just as complicated as mine is.
- REBECCA : OK, I appreciate those comments. They're pretty reflective of how I feel.

Nora and Rebecca work out the details of a solution, so the burden can be shared, and Ken does not have to worry about the year-end report. The plan involves asking for the cooperation of all the lab professionals. Rebecca admits that other staff members have been almost as delinquent as Nora in responding to her requests for cooperation. Rebecca vents her frustration, and Nora tries to show understanding. At one point Rebecca, with great sincerity, says, "So, I'm glad you're on board." There is some joking and decompressing. The topic is concluded.

Next, the mediator asks Nora to expand on her desire to be a more integral part of the friendship among the female professionals in the lab. There has been no specific resolution to that issue.

- REBECCA: [Calmly.] OK. And can I say just one thing before we finish up the other topic? [Addressing the mediator.] Nora asked me to give her the big picture. Unfortunately, I gave the big picture in *very emphatic tones*. Nora got the big picture, and she put out the hand to help me. And I just learned a lot from that. [Looking at Nora.] I just wanted to say that I appreciate it . . . I get it.

Being Part of the Female Friendship Group

- REBECCA: Anyway, so, what was the question? About collegiality among the women?
- MEDIATOR: I'd like Nora to explain the fact that she'd like to feel part of the friendship among the professional women in the lab. Go ahead, Nora.

- NORA: And I alluded to that. That's something that I really . . . I didn't consider as important in the past as I do now, because I'm understanding . . .
- REBECCA: [Whispering.] Oh, that's fantastic!
- NORA: I'd like to feel, at least among the women, [With humor.] you can't just help some of the guys, [Looks at the mediator.] no offense . . .
- REBECCA: No offense. [Also laughs and looks at the mediator.]
- NORA: But I want to be part of the women's chit-chat a little bit.
- REBECCA: Well Nora, what it takes is for you to have an interest in their lives—Vicky's surfing, Chiaki's backpacking trips, or something with their kids. It takes time to establish relationships.
- NORA: Rebecca, I know that . . .
- REBECCA: Oh, I'm being a little bit too simple.
- NORA: Well, no . . .
- REBECCA: So, jump in with twenty feet! Go for it!
- NORA: I'm trying to, but I'm asking, if there are two or three people talking and I walk up, don't change the subject or walk away and ignore me, please. Recognize that I'm trying to make an effort.
- REBECCA: Well, I was not aware . . . Do you think that happens?
- NORA: Uh-huh.
- REBECCA: And it's a conscious thing?
- NORA: I don't know if it's conscious or not, but I sure feel it.
- REBECCA: Well, then, that's a problem.
- NORA: I'm *not* feeling terribly rejected. I'm just feeling frustrated.
- REBECCA: Then, the only thing I can suggest is just what I said: making the time, seeking the people . . .
- NORA: And I . . .
- REBECCA: That's what I do. I like talking to women. It's a huge support in my life. Chiaki calls me if her car breaks down; Francisca, when her husband is out of town

and she needs someone to get some medicine for her sick baby . . . It's a relationship. It nurtures me.

NORA: Well, I'm available for those things, too.

REBECCA: Then just come and be a natural part of it.

NORA: I'm trying to, but I'm feeling like . . .

REBECCA: Put those feelings aside, don't talk yourself out of this, don't . . .

NORA: Rebecca, let me finish my statement.

REBECCA: All right.

NORA: There have been times when I've tried to do that, and I've felt excluded. I'm asking, could you make an effort to include me? I'm not saying I'm not going to make an effort.

REBECCA: OK. [Drawn out.]

NORA: In fact, I've been making efforts, and I'm sure nobody noticed or nobody was aware . . . but when they were talking about somebody's backpacking trip, or somebody's something, and I walked up to join the conversation, the conversation stopped.

REBECCA: That would be extremely uncomfortable, to say the least.

NORA: And it doesn't make me think, "Oh, poor me," but I'm asking for you to help me, so that doesn't happen. Because I'm making an effort.

REBECCA: By saying that . . . do you think that somehow I'm responsible for the dynamics . . .

NORA: No, I'm not. I'm just asking . . .

REBECCA: OK, I'm just trying to straighten it out.

NORA: I'm just asking for your help. Since you're aware of what I'm trying to do, I'm asking for your assistance. I'm not saying you've done something wrong in the past. I'm not saying that at all.

REBECCA: But, I just get a sense of this racing, racing, running, running, and . . . What I'm saying is that I perceive you as being too busy for me to drop in and say, "I tried a strawberry jam recipe." I worry you might think, "What an idiot! Why does she think I care?"

- NORA: Why don't you try it?
- REBECCA: And I have.
- NORA: Sometimes I have a genuine deadline.
- REBECCA: Of course.
- NORA: Don't assume I'm not interested.
- REBECCA: That would be a disservice. OK. All right.
- NORA: So, I'm just . . .
- REBECCA: Fine! I think that's great! It's just that after twenty-something years [Laughing.] I haven't thought, like, there's a great deal, you know . . . I sometimes think people think I'm a frivolous type of person. I don't want to pass through here and not know anything about others. When you die, what are you going to look back at but the friendships you have made? Connections with people enrich our lives. We have more in common than not. We've been in this job for many years. We're more the same than different. But I don't feel comfortable . . . So you're saying it's OK to feel comfortable just dropping in once in a while to just say hello?
- NORA: Yeah! It always has been. Is it OK if I do that with you?
- REBECCA: Yeah! [Laughing.] Everybody else does. If that's something welcome with you . . . I never got that feeling from you.
- NORA: I'm sorry, because I've always felt like that. I've done a really poor job . . .
- REBECCA: Then, it's been a loss for both of us . . .
- NORA: I've done a really poor job . . .
- REBECCA: A loss for both of us . . . It's been a wrong assumption on both our parts, and we both lost out.
- NORA: And, yes, I'm very available to help people with whatever jams they may be in . . . and I often need help myself.
- REBECCA: As the facilitator said when we started, I've always said and always known you have good intentions and a good heart. I know that. But sometimes you're a little brusque, and it's off-putting.

- NORA: I'm sorry.
- REBECCA: That's OK. I'm just telling you why . . . the approachability factor is a little less than comfortable. I don't want to feel like I'm barging . . .
- NORA: I'll try not to make you feel . . .
- REBECCA: We're not talking about a three-hour gab session every day.
- NORA: No, we can't.
- REBECCA: No, just stick your head in at lunch. I'd welcome it.
- NORA: OK.
- REBECCA: So . . . that would be a positive thing. If those sorts of positive interactions occur, then these other things won't be a problem.
- NORA: That's why . . . That's one reason I really wanted to change my . . . I've always been a pretty nose-to-the-grindstone person here, and that's one reason why . . . in addition to the fact I really care about you guys . . . I do care about people.
- REBECCA: I know that. I've always known that . . .
- NORA: Sometimes I've isolated myself, because there were things going on in my life . . . and I didn't want to bleed all over everybody.
- REBECCA: And it's a survival thing. But friends need to do that and take turns . . .
- NORA: But you have to have those relationships established . . . and I didn't. I'm in a different place now.
- REBECCA: That's a good thing. I'm a little too emotional, but decent.
- NORA: Of course. That was on my list. And I've always admired how you always put people first. I've looked up to you. I really admire that.

This mutual validation goes on for some time, with beautiful sentiments shared between Nora and Rebecca. The parties freely exchange these positive aspects about each other without being prompted.

POSTSCRIPT

I received the following note from Rebecca, a month after the mediation: “I just wanted to let you know how much you have helped Nora and me. We are now talking regularly, and I’m enjoying the contact thoroughly. All the negativity that had built up for so long is gone, and I feel like I’ve lost a hundred pounds! The process was tough, but the results were more than worth it.”

Half a year later, I was able to catch up with Nora and Rebecca, who had cemented their friendship. They had recently gone out to the movies and their families were planning a joint camping trip to a nearby beach.

After the first edition of this book was published, I gave each of them a copy. Nora and Rebecca politely thanked me but independently explained how busy they were. I was quite surprised when they both showed up at my office, together, the very next day. Each had taken the book home and could not put it down. With huge smiles, and each pointing to the other, they said in unison, “You favored *her!*”

According to Nora and Rebecca, more than the mediation itself, reading this transcript of the dispute created a desire to change dysfunctional behaviors. One confessed, “I was afraid to walk out of my office and have people see me so naked, and then I realized that people around me have known all this time that I was naked. It was only I who did not know it.”

Over four years have elapsed since the first edition of this book was published and the sending of this second edition to the printers. Nora and Rebecca continue to be good friends.

Specific research on conditions that favor sharing a transcript summary with the disputants might be an excellent addition to the body of knowledge about conflict management.