

Coaching During the Pre-Caucus



Negative emotions can be dissipated as the parties feel heard during the pre-caucus phases of PDM. While the mediator's empathic listening is crucial to preparing disputants for the joint session, it is rarely sufficient. The mediator can play an active role by coaching individuals through some additional preparatory steps. These steps have been separated for conceptual clarity, although several points may arise at one time. The pre-caucus, then, is also a good time to:

- Prepare a list of topics to discuss
- Create distance from contentious feelings
- Validate identity projections
- Permit positive feelings
- Challenge blind spots
- Practice through role-plays
- Improve communication skills

PREPARE A LIST OF TOPICS TO DISCUSS

As mediators listen during the pre-caucuses, they also take notes. Each topic of concern brought up by the parties is recorded. The topics often overlap considerably. These lists are a vital springboard for the joint session dialogue. Even sensitive matters need to be jotted down unless a party requests otherwise. At times the disputants cannot imagine how certain sensitive topics could be addressed without offending. At some point mediators can offer coaching that will help the opposing parties work through language that might be used to broach a topic in the joint sessions.

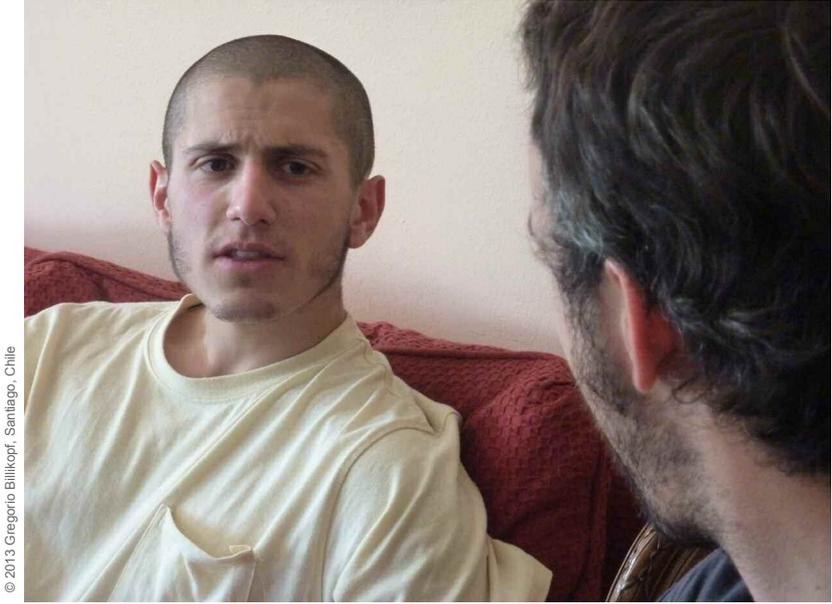
CREATE DISTANCE FROM CONTENTIOUS FEELINGS

There seems to be a pattern in entrenched interpersonal conflict: each contender is overly distracted with the stress of the dispute, has difficulty sleeping, and is generally thinking of bailing out (of the workplace, marriage, friendship). Individuals may be in denial about the negative effects of contention in their lives.

One manager claimed that he became angry and exploded but that his resentment was short-lived. He asserted that he did not hold grudges, no matter how disagreeable the encounter. Further into the pre-caucus, however, this manager admitted that a recent confrontation made him so furious that he was ill for a couple of days.

Mediators can help the participants visualize life without the tension created by destructive contention. John Winslade and Gerald Monk, in *Narrative Mediation*, argue that while people are theoretically free to say what they wish in a conversation, parties often feel their responses are influenced by the remarks of others. They see themselves entrapped within the conflict cycle.¹ Certainly, the results of numerous social psychology studies show that people often react in predictable ways to specific situations.

The authors of *Narrative Mediation* ask the parties how they might have felt forced by the dispute to do or say regrettable things. Or how the conflict affected them negatively in other



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During the pre-caucus, mediators note the issues that need to be addressed by the parties during the joint session.

ways. By placing the blame on the clash itself, mediators allow the disputants to save face and slowly distance themselves from the conflict-saturated story. Parties can detach themselves from the dispute long enough to consider if they want to keep feeding their negative feelings for each other.¹

The authors of *Crucial Conversations* contend that we are adept at creating negative stories in milliseconds. As we entertain these narratives, they are likely to grow more clever and complex. Every emotional outburst, the authors argue, is preceded by such a story. Finally, they suggest that we are particularly adept at creating *victim* and *villain* narratives, and while sometimes we

may indeed be innocent victims, all too often we are blind to our own contributions to the difficulties at hand.² (Because people often blame victims in a number of settings, it is worth underscoring that emotional, verbal, financial, sexual, physical, and other types of abuse do exist. When victims are blamed for these events, it is as if they are being re-subjected to the abuse.)

These teachings revolving around self-talk have been proposed since much earlier times: “People are disturbed not by things but by the view which they take of them” was an observation of the ancient philosopher Epictetus in the *Enchiridion*.³ More recently, psychologist Albert Ellis taught, “You largely feel the way you think and you can change your thinking and thereby change your feeling.”⁴

Part of the role of the mediator is to help parties recognize the function that self-justifying and defensive stories play.



Others argue that our initial responses to stimuli have a physiological basis related to the amygdala, insula, limbic system, and sympathetic nervous system. Some of these physiological responses are hard-wired; others learned.

Upon encountering danger, one individual may experience high arousal, whereas someone else may be oblivious to the same stimulus. The same person on different occasions may have widely divergent reactions to the same stimulus. Our life narratives or stored narratives, as well as fatigue, hunger, and a host of other conditions, affects our initial reactions.

Regardless of the evolving science on how we initially react to situations, the vital point is that once our emotions have been triggered there is much we can do to modulate them and reestablish positive connections with people. We can *respond*, rather than simply *react*, as we learn to: (1) slow down our breathing pattern and (2) modify our defensive, self-defeating, and self-justifying narratives.

Part of the role of the mediator is to help parties recognize the function that self-justifying and defensive stories play. Neutrals also help parties look for alternative narratives—those that permit the existence of motives that are less hideous, and perhaps even honorable.

Some years ago, I attended a soccer referee meeting in which my supervisor pointed out problems that referees needed to avoid. I became defensive. I remembered very well what had happened during the game in question. In my opinion, I had made the right call. I raised my hand and began to defend my decision to give a red card. The supervisor calmly responded, “Gregorio, we weren’t talking about you.”

It was not the referee director who made me upset, but rather the story I told myself to justify my behavior. The very fact that I felt compelled to create such a story should have been a warning to me. The story permitted me to entertain defensive emotions, which resulted in my negative behavior: justifying myself at the meeting when no one was attacking and thus running away at “the sound of a leaf falling from the tree.”⁵



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Individuals attempt to cultivate an identity of how they like to be seen. For instance, one person may see herself as an intellectual; another may see himself as a cowboy. Such identity labels are part of a complex set of traits that a person might value.

VALIDATE IDENTITY PROJECTIONS

Individuals attempt to cultivate an identity of how they like to be seen by others. One person may see herself as an intellectual; another may see himself as an outdoorsman, a scholar, a rebel, an athlete, a cowboy, or a free thinker. Such identity labels are part of a complex set of traits that a person might value. These labels answer the question, “Deep inside, who are you?”

An important part of mindful interpersonal communication, explains Stella Ting-Toomey, is the mutual validation of such

identity projections, through a process of *identity negotiation*. Ting-Toomey suggests that people tend to build bonds with those who seem supportive of the identity they attempt to project.⁶ Undoubtedly, such mutual validation builds psychological intimacy.

Charles T. Brown and Charles Van Riper explain the broader concept this way: “Acceptance [requires] listening to the other to sense how he wishes to be heard. This confirms him and thus he tends to confirm us, and thus we are led to further self-confirmation. Self-acceptance and acceptance of the other are therefore interactive.”⁷

Those involved in significant interpersonal conflict may go as far as denying each other their most valued identity characteristics. When individuals have built a relationship at least partially based on identity validations, it is not uncommon for one or both parties to want to take back such affirmations.

For instance, one associate built her relationship with another by telling her that she was artistic. The affirmation was greatly valued by the recipient. Over the years, these two women continued to strengthen their friendship. After a contentious disagreement, the artist was told she really did not have much creative and artistic ability. And the women were not even fighting about art when the comment was made.

People who have felt hurt or manipulated in the past may be slow to accept identity validations from others. Intermediaries help disputants exchange at least a small, tentative measure of validation.

Lack of validation normally plays a pivotal role in interpersonal conflict. Some of the most hurtful experiences are attacks on self-image or valued identity. They may take the form of a refusal to use the contender’s name or to speak, greet, or look at the other person. When confronted about their passive aggression, the offender might say that there is nothing wrong. “I don’t say anything bad to her. I simply don’t look at her or speak with her. She just doesn’t exist for me.”

Individuals also project the personal qualities they wish to attain (e.g., generosity, equanimity). When people’s weaknesses

are exposed they may reason that it is not worth trying to pretend anymore. Because friends, colleagues, and loved ones are more likely to have seen these weaknesses, the person may first stop pretending with family, close friends, and associates at work.

Pride—especially when our weaknesses have been exposed—makes it hard for us to recognize our errors and take the necessary steps to rectify our behavior. When parties have crossed the line and stopped trying, a key mediator role is help them shift attitudes, put their best foot forward, cross back, and thus get a second chance at a relationship.

It is not easy to cross back. Some people prefer to show improvement through actions rather than words. Yet both are required: verbal acknowledgement *and* changed behavior. A fundamental step, then, is for the party to *announce* planned behavioral changes—no matter how positive the changed conduct—lest these changes be misunderstood.

A man who had been involved in a contentious relationship voluntarily began to make what he thought were positive transformations. When they did not seem to make a difference, he tried other adjustments. Despite good intentions, he never communicated the reasons for these changes to his co-worker. During the pre-caucus, the other party explained that this individual seemed somewhat neurotic and fickle, changing personalities from day to day.

PERMIT POSITIVE FEELINGS

In the process of meeting with the disputants, the mediator can make a more informed determination as to whether to proceed with PDM, or use a more conventional style of mediation.

Under certain circumstances, more harm than good can result from permitting opponents to speak directly to each other. It is not the purpose of mediation simply to provide a safe place for contenders to exchange insults. Before deciding to proceed to the joint session the parties must experience some hope—an olive branch buried within the anger, frustration, and despair.

In *The Promise of Mediation*, the authors suggest that mediators watch for and recognize *transformative opportunities*.⁸



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While a number of factors can affect the success of a mediated joint session, perhaps none is as telling as asking contenders what they value in each other.

That is, mediators should be alert for any sort of compliment, kind word, show of understanding, apology, or acceptance of an apology. Transformative comments help the disputants validate each other.

Contenders probably have had unproductive exchanges in the past. Each player has taken the role of *victim* or *aggressor*—or most likely, has alternated between both. Each probably owes an apology to the other. Learning how to apologize and accept an apology are essential interpersonal negotiation skills.

During a pre-caucus an executive, almost as an aside, had something positive to say about the other party: “One thing I really value about the assistant manager is that he shows pride in his work—something I really admired in my father.” The mediator suggested that the executive share these kind thoughts in the joint session, but was turned down. This challenge had been extended in a gentle way, permitting the executive to retain control. During the joint session the executive did compliment the assistant manager despite his earlier refusal to consider doing so.

While a number of factors can affect the success of a mediated joint session, perhaps none is as telling as asking what one of the parties values in the other. The mediator asks this question during the pre-caucus *after* the participants have had a chance to vent their frustrations. Individuals are more apt to see the good in their opponents after they feel understood by the mediator. It is not uncommon for the contenders to raise these positive issues on their own. The intermediary may ask permission to share these details with the other parties.

From a psychological perspective, this matter is of surpassing importance. People involved in contentious interpersonal conflicts not only fail to validate each other but also tend to discount their adversaries and strip from them any vestiges of humanity. Failing to find a positive quality in another is a reflection of this phenomenon. Individuals who have such negative feelings must give themselves *permission* to allow others a measure of humanity. Without some degree of mutual respect, PDM is destined to disappoint.

In the absence of this tiny light of hope, there is no point in proceeding to a joint session. And it is not enough to say that the

other person “is always on time,” “drives a nice car,” “is attractive,” or “doesn’t smell.” If there is nothing of significance that one person can value about the other, more harm than good can come out of the joint session.

Mediators often notice that one person tends to be nobler in terms of affirming the other. Years ago, I asked a party for the positive characteristics of his antagonist. When he claimed there was none, I shared the affirming remarks that had been made about him. I was surprised by his second refusal to find anything of value in the opponent, especially after hearing something so positive about himself. Most people want to appear reasonable before the mediator.

“Well, if there is nothing positive you can say about the other person, there is no purpose in attempting a joint session,” I explained. I suggested a short break after which we could sit down and look at the alternatives. When we returned, the taciturn party had prepared, to my shock, a long list of positive attributes about the other disputant.

Since then, I have come to recognize that if a party seems to have nothing affirming to say about another, it might mean that I have not listened sufficiently. Such a person may require several pre-caucuses before she is ready for the joint session. This was the case with Nora and Rebecca, the subjects of the extended case study included later in this book. Some conflicts, such as the one between Nora and Rebecca, have spanned decades. Is it reasonable to think that after one listening session longtime adversaries will be ready to dialogue?

It is essential, before moving into a joint session, for each party to have something positive and validating to say about the other.

CHALLENGE BLIND SPOTS

Psychologists speak of *blind spots* as information individuals may not know about themselves. As a youngster, no one told me I was a terrible singer. When I found out, I was surprised. Now, I joke that I got rich because people paid me *not* to sing. Blind spots prevent us from seeing our own faults. We do not always

notice how our actions may be contributing to difficulties in our lives and relationships.

Conflict tends to enlarge our blind spots and reduce our ability to think rationally and creatively. People involved in disputes also tend to make false attributions. Contenders often excuse their own negative behavior, yet ascribe the worst motives for others' actions. As long as blind spots exist, we tend to blame everyone but ourselves for our predicaments.

During the mediation process, each party will face plenty of difficulties. Contenders will have to confront blind spots beginning with the pre-caucus. Disputants will often recognize

Conflict tends to enlarge our blind spots and reduce our ability to think rationally and creatively.



some of their own faults if the mediator has listened with empathy.

Furthermore, there is a certain amount of *psychological thawing*⁹ that takes place when people are willing to see other possibilities. To use another metaphor, while they may not open the window blinds all the way, they begin to crack them and let some light in. As a result, after the pre-caucus the parties often begin to soften their stances towards each other.

Given enough time, such as in some types of therapy, people can begin to discover additional blind spots without having them pointed out. Traditional mediation seldom affords such opportunities. More complex PDM tends to be carried out over a longer period of time, and the time factor seems to work in favor of softening obdurate stances through *positive fermentation*.

Just as in mediation, there are different approaches to therapy. Despite the similarities between some types of therapy and mediation, these forms of intervention are not the same.¹⁰ Therapists have specialized training and longer periods of time to work with clients. Blind spots may have to be considered sooner in mediation than in therapy.

So, what does it mean to challenge a blind spot? According to Gerard Egan, “At its simplest, confrontation is an invitation to examine some form of behavior that seems self-defeating, harmful to others, or both, and to change the behavior if it is found to be so.”¹¹ Not everyone can challenge these blind spots. A listener must earn the right to do so,¹² by showing empathy and true concern.

A note of caution is in order before speaking further about challenging blind spots. As mediators we must guard against feelings of *psychological transference* and *countertransference*. For instance, one of the parties may remind us of someone—or a trying situation—from our past. If issues of transference can be troublesome in psychotherapy, they also can affect the mediation process. It is all too easy for mediators to permit life experiences to taint their efforts and unduly affect their neutrality.

Only after the disputant feels heard can a mediator introduce challenges. Under no circumstances should a person be

challenged so the intermediary can feel better. Nor should the challenge be based on feelings of resentment the neutral might be harboring. On the contrary, a mediator should only challenge a person for whom she has positive regard. Furthermore, mediators must be willing to accompany the party through the painful process of examining dysfunctional behaviors.¹³

An example of a challenge is to ask a person to explore possible reasons why others react negatively to her. Another example—as discussed in the previous sub-section—involves challenging one participant to share positive qualities possessed by the other.

Egan suggests that it helps to “deliver challenges tentatively, as hunches.”¹⁴ I call this using a *miniature hammer* rather than the industrial sledgehammer. Gentle challenges invite reflection; overbearing ones, defensiveness. The power of the miniature hammer is that it does not remove responsibility from the party involved in the dispute. In contrast, the industrial-size hammer is likely to act as a punishment in itself, permitting a person to discount the challenge as well as the challenger. People who have been effectively challenged may respond right away, after a few hours, or even months later. Elapsing time allows for positive fermentation.

During an NPA pre-caucus, Paula, a top manager at a horse training facility, expressed frustration that one of the managers who reported to her, Lázaro, seemed to have trouble relating to women. After being heard, Paula requested that the mediators *not* broach the topic with Lázaro. Instead, she agreed to do so herself. With the assistance of the intermediaries who instructed her to back off at the first sign of resistance, she role-played a very soft, miniature hammer approach.

This case was co-mediated by a woman and a man and would require several pre-caucuses. During a follow-up, Paula reported that her attempt to speak to Lázaro about this sensitive topic was unsuccessful. His resistance was immediate so Paula dropped the subject.

During one of the subsequent pre-caucuses, the female mediator was able to very gently challenge Lázaro by indirectly



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Coaching and modeling effective interaction styles is an ongoing task for the mediator.

touching on the topic. His stance had softened and he began to speak about the challenges he faced in transitioning to working for a

woman. This permitted for more positive feelings on this subject to ferment over time.

Finally, after some months had elapsed, the day of the joint session arrived. A group of international visitors and NPA practitioners from Chile—mostly men—joined the mediation team. A final pre-caucus with each party was carried out before lunch. The topic of sexism was openly discussed with Lázaro.

During the joint session, where all the mediators sat at one end of the conference room and played an insignificant role, Paula and Lázaro had a wonderful conversation about many topics. At one moment, Lázaro began to speak to Paula about how difficult it was for him to transition into having a female supervisor.

One of the international visitors wanted to help Lázaro save face. He interrupted to say, “Lázaro, you really don’t mean to say that you treated your supervisor differently because she was a woman—it was just because you had a conflict with her, right?”

Lázaro turned to address him and explained that, indeed, the issue of Paula’s gender had been at the core of his problem. Then, turning to Paula, Lázaro offered a sincere, heartfelt apology. This is an example of how the tiniest of hammers was used throughout the process. As the joint session was concluding, Lázaro again turned to the mediators and with a broad smile said, “I won’t be needing you anymore, as I now feel I can talk to Paula about *anything!*”

A positive negotiation technique, when seeking to challenge, is to ask permission to pose a question.¹⁵ The mediator, by using this strategy, lets the party know that the matter requires deep thinking and is not easy to answer.

Let us look at another challenge that considers some of the techniques we have been discussing. Sara and her boss, Nick, have been involved in a dispute that has taken on major proportions. Among other things, Nick has complained that Sara is constantly threatening to leave the enterprise. The first time Sara used this tactic, Nick worked hard to please her. Now he feels great resentment towards Sara. Threats—both direct and veiled—tend to reduce a party’s negotiating power.

Nick greatly values Sara’s work, but he has reached the point where he would rather see Sara leave the business than be

exposed to her constant threats. This might be a blind spot for Sara. Though she might vent her anger at length, it is doubtful she would ever realize—in spite of having an empathic listener—the dysfunctional nature of using threats as a negotiating tactic. Nick has given the mediator permission to share his concerns with Sara. We pick up the conversation after the mediator has listened to Sara for some time. It is not the first time Sara mentions that she would like to find another job.

“I’m so tired of working here, and I’ve told Nick that perhaps I should look for another job,” Sara explains with a tone that betrays both resignation and angst.

Instead of directly reproving Sara for her use of threats, the mediator may acknowledge Sara’s frustration and eventually broach the issue of negotiation techniques.

“Sara, may I share a negotiation concept with you?”

“Of course!”

“Part of my role is to prepare parties to face each other by helping them improve their negotiation skills. We can often obtain better results if we know how to frame the matter at hand. Finding the right language so others will be receptive to what we say.”

“Mmm.”

“People may stop listening when we use certain approaches. Nick told me—and he gave permission for me to share this with you—that he tunes you out . . . when you threaten to quit. Threats are a hot button for him.”

“But, then how do I let him know I’m so frustrated?”

“Wonderful! That is precisely what we want to do. It is so important that you can express the stress and frustration you’re feeling. We don’t want to minimize these annoyances, such as when Nick asks everyone for advice except you.”

“Yes, that and other things.”

“Would you like to spend a little time together finding just the right language to use so Nick is more likely to listen? So he doesn’t become so defensive?”

The mediator has not given Sara any reason to believe she favors Nick’s perspective in the overall conflict. She is simply

inviting Sara to present her perspective in a clearer, more effective, and less threatening fashion. Once Sara comprehends that she must merely replace the unproductive tactic with a more positive one, the mediator (or a co-mediator) can role play Nick while Sara practices alternative ways of expressing her views. Together, they can try different approaches and find one that Sara feels good about and meets her needs.

The mediator, as a careful listener, will often pick up on potentially problematic communication during the pre-caucus—even when not alerted by the other party. The neutral, then, also prepares parties to challenge each other during the joint session.

Regrettably, there are times when the third party needs to step in during the joint session. This is not the ideal, as the actors lose face and it may give the appearance of mediator partiality. Of course, there are ways that the neutral can intervene without overly altering the process, but it certainly is not as elegant as when the individuals can dialogue without interference.

PRACTICE THROUGH ROLE-PLAYS

Role-plays are powerful pre-caucus tools. After listening to a young woman, I asked her to imagine she was now talking to a co-worker with whom she had been involved in several unpleasant exchanges. As she told her story before the role-play, her tone of voice was relaxed and friendly. As soon as she pretended that she was speaking to her colleague, her comportment changed dramatically. Her body language, the tension in her voice, and the rough words that she spoke surprised me. The transformation was alarming, but it permitted me to offer some helpful suggestions.

At one enterprise, a manager's angry outbursts were well known. Martin had minimized the seriousness of his problem. A co-mediator played the role of the other contender. "Martin," she began. "When you get angry at me, shout at me, and use profanity, I feel very bad."

"Well, I'm so sorry I used bad language and was angry at you," Martin began nicely. "But . . ." And then Martin started to excuse himself and place conditions on controlling his anger. I



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With extremely difficult conflicts, as the moment of participating in a joint session approaches, painful feelings often resurge. It is worth reminding participants ahead of time that this is a normal part of the process.

interrupted. “An apology with a qualifier or a ‘but’ is not a true apology; it is merely a statement of justification,” I explained.

In total frustration Martin turned to me, raised his voice, and said, “Look, everyone has his style. Some people deal with disagreement this way, others, that way. I’m an expert on intimidation. If I can’t use intimidation, what can I do so I don’t get run over? Am I supposed to just sit here and tell the other guy how nice he is and not bring up any of the areas of disagreement?”

As previously mentioned, one of the purposes of the pre-caucus is to coach individuals on how to effectively present their perspectives. So, I calmly responded to his anxious query, “I am so glad you asked, Martin. That’s why I’m here.”

When mediators have done their work during the pre-caucuses, the joint sessions can be very positive. Martin’s case was one of the most difficult I had encountered at the time. Yet, once in the joint session the two managers did most of the talking. They were extremely cordial, attentive, and amicable, showing understanding for each other. I had no need to interrupt as they negotiated other than to ask for clarification in noting what they had agreed on. Although these individuals did not completely solve their dispute on that occasion, they continued to make progress after the mediator left.

After empathic listening, I believe that role-playing is the most vital tool to improve the mediation process. It affords parties the opportunity to practice both sharing information and challenging differences while receiving feedback on how to better communicate—feedback which ideally is given in the privacy of the pre-caucus so parties can save face while mediators retain the appearance of neutrality. Through these simulations, neutrals can also detect *leakage* of negative feelings and ascertain if the parties are ready for the joint session.

In addition, role-plays can be recorded and the parties are then able to see themselves and analyze their own dysfunctional behavior. The positive impact of these recordings is often very powerful. Being involved in a role-play is invaluable, and a recording can provide additional understanding. In a recording we see the situation more realistically—like the difference between observing ourselves in a mirror and in a photo.

VERY DIFFICULT CASES

The PDM approach, as I mentioned, is designed to handle the most complex cases, including those that have lasted decades. Sometimes the rivals have such vitriolic feelings toward each other that little progress seems to be made in the pre-caucuses.

At some point mediators may want to encourage participants—especially in cases where parties have stopped talking and have little contact—to send each other letters. I am suggesting old-fashioned letters, with *stamps!* (The stamps need to be chosen with care so as not to give unintended messages.) The idea of utilizing letters is to avoid quick, dysfunctional interchanges. Maybe the antagonists are still not ready for the joint session but they can talk about certain topics in a positive way. They can share little transformative moments that will move the protracted process along.

It is not a matter of eliminating or replacing the joint session, but rather accelerating positive fermentation. It is necessary to



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Role plays may be recorded so parties can analyze their own behaviors.

wait until the parties are ready to see some good in each other, or to apologize. Before mediators make this suggestion, I believe they must have achieved a high level of mutual trust with each party.

The mediator can invite one of the disputants to write first and let the other party know to expect a letter. Throughout the letter-exchange process the mediator lends an empathic ear to the parties and also asks to review their responses before letters are sent off. Because of the nature of the protracted conflict, opponents are likely to read many unintended negative messages into the letters, even when they are written with care. While the mediator offers comments and suggestions, in the end, the parties must take ownership of their own letters.

With extremely difficult conflicts, as the moment of participating in a joint session approaches, painful feelings often resurge. It is worth reminding participants ahead of time that this is a normal part of the process.

With some hesitation I would like to share another concept. I hesitate because I hope the reader will not use these comments as an excuse to take shortcuts or discard the PDM system. When people are in daily or frequent contact—and this contact hinders progress—an abbreviated joint session may be required after a few sets of pre-caucuses. In such a session it is worth limiting the number of issues to be addressed in order to allow the participants to experience a small victory. Later, the process can continue through additional caucusing and joint sessions. Mediation is both an art and a science, and formulas cannot always be followed.

IMPROVE COMMUNICATION SKILLS

Coaching and modeling effective interaction styles is an ongoing task for the mediator. The objective is to enhance the interpersonal negotiation skills of the parties involved.

The lack of effective negotiation skills is often the culprit when people experience interpersonal conflicts. Chapter 4, “Interpersonal Negotiation Skills,” is a primer on the subject. That chapter may be downloaded from

<http://www.cnr.berkeley.edu/ucce50/ag-labor/7conflict/> and distributed at no cost to clients, students, or others (see the copyright page). Mediators can suggest that clientele familiarize themselves with these materials before the joint session.

People are more likely to identify dysfunctional communication styles in others than in themselves. Clientele can take better advantage of these tools by introspectively considering if there are behaviors they can improve in *themselves*.

SUMMARY

After some of the emotional stress is dissipated, mediators can continue to help the disputants prepare for the joint session. Listening with empathy is a powerful tool to help reduce negative emotions. But there are other techniques that also help create a sense of distance between the contenders and the dispute.

By providing tools for better communication, a mediator can help the parties see more clearly and recognize their own faults and their contributions to the conflict. With good measures of tact and gentleness, neutrals can help disputants begin to see blind spots in their communication styles and negotiation tactics.

The mediator also listens to each party with the idea of eventually teaching the person how to express viewpoints in the best positive light. Only after individuals are able to: (1) distance themselves sufficiently from the conflict to see the positive in their contenders, (2) effectively put forth their own ideas, and (3) listen attentively and analytically to other points of view, will the parties be empowered to negotiate successfully in the joint session. When there is doubt about the parties' readiness to negotiate successfully, holding another set of pre-caucuses may save time in the long run.

One of the functions of the mediator in the pre-caucus is to help disputants capture the essence of their conflict by making a list of issues that need to be addressed during the joint session.

When the participants are well prepared, the mediator is unlikely to be required to take an overly active role in the joint session. Neutrals may need to coach individuals on how to formulate questions, ask for clarification, reflect on what has been

said, properly frame ideas, avoid defensiveness, and adequately challenge others. Much of this is done through role-plays.

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