

A Narrative Approach In Mediation

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The narrative perspective involves a simple and yet profound departure from commonly held assumptions about the conflicts that embroil people. It proposes that people live their lives according to stories rather than according to inner drives or interests. It privileges stories and the meanings within stories over facts and causes. In the stories, we seek to establish coherence for ourselves and produce lives, careers, relationships and communities. Therefore, when we work with people to overcome the divisiveness of a conflict, we find it more productive to work with the stories in which the conflict is embedded than to pursue objective reality.

Stories are of course socially and culturally constructed. Moreover, stories that come to dominate over other stories are complicit in the creation of power in social relations. Working from a narrative perspective places the cultural world, and power relations within it, at the centre of the process of mediation rather than as an afterthought on the outside. In this article, we shall describe the goals of narrative mediation, the relational context in which we seek to work with people, and the specific practices that grow from a narrative perspective.

Goals of narrative mediation

In a problem-solving approach, the goal is the formulation of an agreement that solves the problem. This is the fabled win/win solution that satisfies the interests of the disputing parties (Fisher and Ury, 1981). Advocates of the transformative approach have questioned the instrumentalism involved in a reliance on reaching agreements as the primary goal of mediation (Folger & Bush, 1994). They urge the inclusion of more intangible goals such as improved understanding or communication, making people better human beings, and social transformation through improved relationships.

From a narrative perspective, goals need to be formulated in terms of narrative trajectory and discursive shifts. We would suggest three goals for a narrative mediator to bear in mind: a) the creation of the relational conditions for the growth of an alternative story; b) building a story of relationship that is incompatible with the continuing dominance of the conflict; and c) opening space for people to make discursive shifts. Let us expand on each of these in turn.

Creating The Relational Conditions For The Growth Of An Alternative Story

In narrative terms, the goal of mediation might be constructed in terms of the development of a narrative towards some kind of denouement. A written agreement may well be an aspect of such a narrative, or it may not. We can avoid the trap of becoming too attached to the goal of 'resolution' if we focus not on one component of the solution-bound narrative but on the narrative trajectory itself. If mediators concern themselves with developing the relational conditions that make possible the forward movement of a solution-bound narrative, then they have done their job. In Wittgenstein's (1958) words, a mediation may be considered successful if people 'know how to go on'. Or in

Bakhtin's (1986) terms, ongoing dialogue should be the goal rather than a fixed agreement that ends the conversation.

Building A Story Of Relationship Incompatible With The Continuing Dominance Of The Conflict

The second goal for narrative mediation begins from the assumption that the story of relationship between the parties will contain thematic elements that are being restrained in their expression by the continued dominance of the conflict. There may be many names for such themes. Often they are called things like: cooperation, understanding, listening, mutual respect, teamwork, agreement, fairness, collaboration, justice, equity, and so on. There is nothing essential about the name. What matters is that it represents something that both parties' agree is being restrained by the continued existence of the conflict. Mediation can then be conceived as the removal of such restraints and the renewed expression of such thematic elements. Another way of saying this is that relational events that feature such themes have remained unstoried in the working story of relationship. The goal then becomes the rescuing from oblivion of such unstoried relational elements and their incorporation into a new story of relationship. An agreement or resolution may well be incorporated into such a new story or the conflict story may simply become redundant.

Opening Space For Discursive Shifts

The practice of deconstructive conversation in narrative mediation leads to the formulation of a third goal. We are building on social constructionist theory which proposes that discourse is productive of social relations. Conflicts then are produced within discourse and narrative mediation works to deconstruct the discourses at work in the production of disputes. Such deconstruction can lead to discursive shifts within the dominant discourses that have shaped the conflict. It can open space for issues to be described in different terms and for parties to reposition themselves within dominating discourses in preferred ways. The goal of mediation can be described as the production of discursive shifts. When such shifts take place, we can expect the ongoing relational narrative to take a different course. Consequently, people will relate differently to each other and the conflict story becomes less compelling.

These shifts that take place are not just in any direction. It would not be acceptable for mediation to create discursive shifts towards greater social injustice. The goals of mediation need to have an ethical dimension to which a mediator needs to be accountable. Narrative mediation should stand for the advancement of equity, justice and democratic partnership and oppose practices of exclusion, systematic silencing and subjugation.

The Relational Context of Narrative Mediation

Mediators are responsible for constructing their relationships with their clients in ways that are ethical and equitable rather than colonising. Michel Foucault (1980) has problematised the politics of relations between professionals and their clients, particularly in the fields of medicine and psychology. He argued that the knowledges that inform professional practice are produced within the dominant discourses of a cultural world.

This is no less true in mediation than in other domains. The positions that mediators take up in relation to knowledge/power have shaping effects on their relations with their clients.

Therefore, we advocate for mediators to commit to a reflexive practice rather than to take up positions of expertise in which we know better what should happen. It is more than a 'reflective' practice (Schon, 1983) in which a mediator thinks back over experience and learns from it. 'Reflexivity' refers to a dialogical or conversational process in which mediators actively seek to learn from their clients about the impact of their privileged professional position.

One way to describe the political stance described above is to use the word 'respect'. A reflexive stance amounts to a systematic effort to communicate a palpable respect. Few would take issue with 'respect' as an abstraction, but we want to specify what exactly should accorded respect. It is the possibility that people can exercise moral agency in their own lives, even in the face of discourse that would exclude them from this possibility.

Communicating respect entails avoiding ways of speaking that employ objectifying descriptions of people in deficit terms or in other ways totalising people. Concerns about the effects of racism or sexism can be effectively sidelined if they are described only as 'political correctness'. Or contests over important differences can be trivialised by references to a 'personality conflict'. Or one party can ascribe disqualifying deficit conditions to another (such as inherent stubbornness).

We take seriously Michael White's (1989) maxim, "The person is not the problem; the problem is the problem." This statement may appear straightforward, but there are many habits of speech in which people are summed up and totalised as by nature 'aggressive', 'weak', 'a liar', 'difficult to deal with', 'bad tempered', 'unreasonable', 'arrogant', or the like. Deficit labels from psychological diagnosis can also totalise people as 'overreacting', 'acting out', 'emotionally disturbed' or 'passive-aggressive'. When these descriptions are used by someone with professional authority, the totalising effect is magnified.

It is common in conflict situations for each party's descriptions of the other to narrow considerably. Under the influence of a dispute, the experiences of the other person that fit with the dispute tend to get selected for remembering. Places where people could be thought of as otherwise get overlooked. People are far more complex than any one description. Communicating respect entails curiosity about other possibilities, or holding the door open to exceptions rather than accepting essentialist descriptions of persons or relationships. People usually appreciate being spoken to from this enlarged viewpoint rather than being summed up and boxed in.

Elements Of A Narrative Practice

Deconstruction

To work narratively, the mediator does not just listen to the parties tell their stories and explore the interests behind the polarised positions. We prefer to think of both positions and interests as built on a sense of entitlement that grows out of discursive assumptions. Therefore, a narrative mediator listens for the entitlement claims being made, the power relations at work, and the discourses being referenced in the

construction of conflict stories. We seek to open these discursive influences to view rather than allowing them to do their work behind the scenes. Deconstruction is achieved when the mediator asks questions that invite the parties out of the conflict story and into learning how they have been caught in the web of the dispute.

The effect of this kind of conversation is first of all to 'render strange' (White, 1992) what has become familiar in the conflict saturated story. Taken-for-granted aspects of 'how things are' can be viewed from a new perspective and take on a different hue. Deconstructive conversation loosens the authority of a dominant way of thinking and opens the door for different ways of thinking.

Some examples can help illustrate a deconstructive conversation. The following examples come from a dispute about the custody of a child between the birth mother and a gay father who, in accordance with an agreement that preceded the pregnancy, was expecting to bring up the baby until the birth mother changed her mind. Here are some deconstructive questions from this mediation.

Mediator: In the original agreement what was the picture you both had of Marlene's role? You mentioned the expression 'close family friend'. What picture did you each have in mind and where did it come from?

Mediator: How did your idea of yourself as a mother change during the pregnancy and the birth? What influenced those changes?

Mediator: Dennis, what picture did you have of the way you and Mario would be his parents? How much of that picture did you borrow from conventional stories of parenting and how were you thinking you would do it differently as two gay men?

These questions open up the background assumptions about parenting at work in the construction of the dispute. They also clear the way to talk about how they might both care for their son, not necessarily within the usual conventions of custody arrangements.

Externalising conversation

A rhetorical move in narrative conversation that assists the process of deconstruction is the development of an externalising conversation (White and Epston, 1992; Epston and White 1992 or White and Epston, 1990?Winslade and Monk, 2000). Externalising conversations reverse the common logic in psychology that focuses explanations for events inside the person. It emphasises the relational domain and the world of discourse as an origin for experience. As mediators externalise a conflict, they speak about it as if it were an external object exerting an influence on the parties but not identified solely with either party. Externalising introduces a way of speaking about the conflict that interrupts blame and guilt and helps parties to disidentify with the conflict itself. It promotes a clear separation between people and problems and then invites a re-evaluation of their relationship with problems.

For example, in the story used above, the mediator might ask questions about how the dispute was the cause of difficulties between Dennis and Marlene rather than about how Marlene and Dennis were the cause of the dispute. The dispute might then be

spoken about as if it had designs on their lives, had desires to undermine their friendship, and had tricked them into speaking its lines.

Parties often experience externalising conversation as lightening of the heaviness of the problem. Blame and its counterparts, guilt and shame, can be thought of as hindrances to the finding of a way forward in conflict situations. The humanistic assumption of encouraging people to take responsibility for their part in producing the conflict fails to obviate this heaviness. By contrast, an externalising way of speaking can rapidly give the parties a different experience of the conflict they have been living with. The power and authority of habitual ways of thinking about a dispute are destabilised.

The process of externalising can be illustrated with an example of an exchange.

Dennis: So I started to feel resentful when she just turned everything upside down.

Mediator: OK, so resentment entered the picture. What effect did resentment have on your friendship?

Dennis: Well I just stopped wanting to hear what she has to say.

Mediator: So resentment got in the way of you hearing her even. What effect did it have on you Marlene?

Marlene: I don't even see a friendship right now.

Mediator: Really? So it blocked your vision of the friendship? And yet you have both said that if it were not for the presence of this conflict, you really value this friendship. Is that right?

Resentment here is constructed as a character in the scenario rather than as an essential aspect of Dennis. If it is not essential, then it follows that a different response and a different basis for interaction can be constructed.

Restorying Practices

Let us turn to the practices associated with the construction of a counter story to the conflict-saturated story. We can expect a conflict to have narrowed parties' vision of the range of possibilities in their relationship. However, narrative theory suggests that no story will ever be large enough to include all possible story elements. Any account of events has to be selective and therefore has to leave some things out. A conflict story will most likely omit elements that illustrate cooperation, mutual understanding or respect in favour of elements that spotlight the conflict.

The advantage of this perspective for a mediator is that the narrative logic can be reversed. If we are alert to elements that contradict the conflict story, we can seek to make of these unique outcomes (White and Epston 1992 Epston and White 1992 or White and Epston, 1990?) an entry point into a new story. Our experience is that there is always an abundance of unstoried experience out of which can be drawn exceptions to the dominance of a conflict. They exist in attempts to fight back against a conflict story; in the hopes that participants bring into a mediation; and in parties' side comments that are glossed over in a return to the dominant story. They exist in relational moments that are not predictable from the perspective of the conflict story; in shared understandings, or in small agreements about what has happened. They exist in moments of cooperation that lie neglected in the shadow of disagreement. They exist in sometimes unspoken

desires to address the issues in a fair way or in a willingness to offer compromises or in small acts of generosity.

The mediator's task is to weave these unique outcomes into a viable story through connecting them with each other and the development of a counter-story of dialogue, cooperation and agreement. This counter-story can be assembled through finding unique outcomes, marshalling a series of plot elements, naming it as a project, inviting parties to step into its characterisations, and enhancing its significance through identifying its themes. Inquiry into its history can enhance its validity, inquiry into its current existence can reveal its important components, and inquiry into its future trajectory can generate hope about its viability.

In the mediation illustration, Dennis and Marlene were good friends who agreed to have a baby and then fell out. Under the influence of the conflict, the history of their friendship has been put to one side. It has been losing its place in the story of their relationship which is being steadily taken over by the story of disagreement. If this story was recovered, it might provide some basis for how they might work through this dispute. The mediator therefore expressed curiosity about this history.

Exceptions to the conflict story can also arise in the immediate moment of the mediation conversation. Through careful questioning the mediator can build them into the alternative story like this.

Mediator: You were saying that he has not been listening to you and he agreed that resentment got in the way of him listening. But what do you think of what he just said? Did he hear you now?

Marlene: I hear him saying at this minute that he understands the bond I have developed with the child.

Mediator: Is that a good thing to hear?

Marlene: Well it depends if he keeps it up.

Mediator: So you have some reservations, but even so, is it a good thing to hear?

Marlene: Yes, it gives me some hope that we can work this out.

In this way, a story of cooperation is built that can serve as the basis for a set of arrangements for the care of their child. It is built on the already present exceptions to a conflict story which are then projected forward into the future. Agreements may well be part of this future as significant plot developments in a relational history.

There is much more that can be said about narrative mediation but we hope this illustrates enough to suggest a distinctive method built on a robust philosophical base. We have alluded to its social constructionist foundations and given brief illustrations of a practice that has distinctive goals, clear ethical priorities and particular methods. Using this approach, we are confident that mediators and their clients can produce ways forward out of tightly wound conflict stories across a range of domains of mediation practice.

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