

Mediation Happens When You Least Expect It

By Alec Wisner - September 10, 2009

Because many of you reading this newsletter are professionals in the ADR field, professionals who utilize ADR and/or people who have a personal interest in mediation, it becomes habitual to think of mediation as a process by which a trained professional sits down with two disputing parties, typically in the framework of litigation, a divorce, or some sort of legal-based conflict, and tries to move the two sides to resolution without recourse to the lengthy, expensive and, often, anguishing process of litigation.

I propose that mediation is a far more basic process than that.

The simplest level of mediation lies within ourselves. Each of us has our own competing interests. For a high school student, for example, the conflict may be between getting homework done comfortably ahead of a deadline or going partying with friends. For an adult, it could be between staying up late working on that project or spending quality time with your wife and kids.

Each of these interests creates its own baggage. "What will happen to my grade if I wait until the last minute?" "Will my friends think I'm a geek if I don't go out with them?" "Will my job be in jeopardy if I don't produce the goods?" "What kind of mother and wife doesn't give her family her undivided attention?" And each of these conflicts requires a mediation within one's self in order to move forward. Nobody said that taking a step forward is always automatic.

Even on this simple level of mediation within one's self, there is often a need for an external mediator. Sometimes that mediator takes the form of a parent, a spouse, a clergyman, a co-worker, a therapist, or one of countless other people whom one is willing to confide in and listen to. And, of course, these problems haven't a thing to do with a court of law or any other public forum. They have to do with sorting out our own values and applying them to the simple day-to-day decisions that we all have to make.

Sometimes we seek help in groups. There are spiritual groups, 12-step groups, and all kinds of other groups that people join in order to discuss things of mutual interest with other people. This is also a form of mediated discussion in which each person operates under clearly understood rules of conduct. And, again, each person is free

to take any advice offered and apply it to his or her own internal conflicts.

So you see, mediation and conflict resolution can be a far broader topic than just the mediation of divorces and litigated cases. I'll have a lot to say about those areas in future newsletters and blog posts, but that's a wrap for today.