

In Theory

A Narrative Approach to the Practice of Mediation

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Thinking in narrative terms is proving useful in a number of disciplines. Such thinking has already contributed to a growing body of work in the family therapy field. Here, we seek to demonstrate the usefulness and applicability of the ideas developed by Michael White and David Epston (among others) to the practice of mediation. Distinctions are drawn from the problem-solving approach with regard to both basic theoretical assumptions and method. A transcribed mediation scenario is used to illustrate and comment on the techniques of narrative mediation in action.

The collaborative problem-solving approach to negotiation outlined by Fisher and Ury (1981; see also Fisher, Ury, and Patton [1991]) and elaborated by other writers has contributed much to the growth of a field of professional mediation practice. We believe that the popularity of the ideas that form the basis of the problem-solving approach are so familiar today that we may not even recognize in them the background narratives that have shaped aspects of our experience of conflict and its resolution.

However, questions have been raised about the problem-solving approach. In this article we want to take account of these questions and stretch the boundaries of problem solving by applying to mediation what we have learned from the development of narrative thinking. In the mediation

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service to which we all contribute,¹ we have come to see the potential for a narrative perspective in mediation practice that draws from the ideas of narrative therapy developed by Michael White and David Epston (see, for example, White and Epston 1990; White 1989 and 1995). This brief essay seeks to demonstrate some of this potential. We shall tell a story about a neighborhood conflict and, as the story unfolds, explore the role of the mediator from a narrative stance.

The problem-solving orientation is built on a set of assumptions which can be traced to some background stories or discourses about conflict. For example, the assumption that the positions people adopt in conflict situations have their origins in the primary interests of the parties rests on the assumption that the world is made up of individuals who seek satisfaction of their needs and desires. In the words of Carrie Menkel-Meadow (1984: 794): "Problem solving is an orientation to negotiation which focuses on finding solutions to the parties' sets of underlying needs and objectives."

This way of thinking emphasizes the pleasure-seeking principle as a driving force in human decision making. It also directs us to focus on individual needs ahead of cultural, collective, or relational aspects of personhood. Conflict is understood to happen because individual needs are not being met. Disputes transpire when individuals, in the attempt to fulfil their needs, encounter others who believe that their own need-fulfilment goals are threatened. The underlying motivational drive is considered from this perspective to be a personal deficit (an unmet need) which is satisfied (and equilibrium restored) when a satisfying solution is found. The focal task of problem-solving mediation, therefore, becomes the search for solutions (often called "win-win" solutions) which will meet the needs of all the parties concerned.

Over the last ten years, some disquiet about the problem-solving approach has appeared. One concern has been about the expectation that the mediator should be a neutral facilitator of the mediation process, who "... makes no assessments, judgments or value interventions. . ." but is "... wholly supportive of all actors, and adopts a no-fault and neutral position" (Burton 1990: 204). Rifkin, Millen and Cobb (1991: 151) suggest that there has been little theorizing of neutrality in mediation, but rather something of "a folklore of neutrality" has developed. This has led to discussion about whether it is possible for mediators to stand outside time and space and their own historical and cultural narratives and be objective and value-free. Or, might mediators inadvertently be more likely to legitimize certain stories over others, and be more responsive to some people than others? Some have replaced the word "neutrality" with "impartiality," and have described the latter as, for example, "a freedom from bias, a commitment to assist all the parties and the avoidance of an adversarial or advocacy role" (Relationships Services 1996: 34).

Likewise, questions have arisen about the feasibility of separating content and process in relation to the mediator's role as a neutral facilitator of

the process. Linda Putnam (1994) has pointed out how particular conceptions of process (such as thinking in terms of instrumental goals) influence the subject matter discussed and the outcomes achieved in a mediation (toward a privileging of "substantive issues over relational and identity management aims" [p. 339]). A "settlement orientation" has been questioned in relation to the subject matter of conversation it legitimates (Folger and Bush 1994: 11).

In other words, there is increasing awareness that the *content* of the dispute as well as the *process* of mediation is influenced by mediators. Any form of third-party intervention cannot be neutral; the very presence of the third party changes the nature of the interaction between the parties. If the mediator truly were neutral, then we would expect that any two competent mediators mediating the same dispute would assist the parties to reach the same conclusion. This is difficult to test, of course, but it is our belief that different mediators would achieve different outcomes with the same dispute. The differences would result from the subtle nuances of interpretation, emphasis and selection that any person makes in conversation with another based on their own attitudes, beliefs, and experiences.

So, for example, in a community mediation in which there is a complaint of racist discrimination against the board and staff of a school, it makes a difference whether or not the mediators have a strong personal commitment against racism as to how they will hear the complaint and frame it in their responses to each party. Specific events in the dispute may be spoken of by the mediator either as misunderstandings that do not really amount to racism at all, or as misunderstandings that within a current local climate might reasonably be expected to fuel racism or the fear of it. Such choices make a difference to the content of the mediation discussions and to the outcomes of the mediation.

Moreover, mediators are influenced by the disputes in which they take part. For example, a mediator who has completed 25 family court mediations is unlikely to approach the 26th in the same way as the first. Experiences in previous mediation work can sensitize or desensitize the mediator to a variety of perspectives or story interpretations, and subtly shape the mediator's expectations of a successful outcome.

One of the directions from which challenges have come to mediation practice has been from the feminist movement. Feminist analysis has suggested that the "win-win" outcomes of mediations may often simply reflect the power relationship between the parties themselves. Thus patriarchal power, unless specifically addressed in the mediation itself, may simply be reproduced, albeit unwittingly, by the mediation process. This view is represented in a statement such as this:

Women are not equal to men in society. Men hold positions of authority, have greater earning capacity and more financial resources than women; women are victims of violence and harassment. . . . It is . . . the social and economic position of women, and the psychological consequences of this

position, which creates problems of power imbalance (Astor and Chinkin 1992: 109).

The feminist critique claimed that mediation reproduced assumptions of male dominance; that mediators often failed to address the power differential between parties. There were questions too about mediators' lack of sensitivity to the effects of violence on what could happen in mediation (Benjamin and Irving 1992).

Another direction from which challenges to mediation practice have come has been from non-European ethnic groups. From these perspectives, the problem-solving approach can be shown to reflect Western values of individualism. Modernist rational thinking habits, and assumptions of individual autonomy (Putnam 1994) that are foreign to cultural groups which emphasize collectivity (Relationship Services 1996). Many of the assumptions of the problem-solving model do not carry over into all cultural settings. For example, for New Zealand Maori, individual speaking rights in family disputes are often exercised or delegated by *kaumatua* (or tribal elders) rather than assumed as personal rights.

What is needed, therefore, is an approach to mediation that goes further than the problem-solving approach does in taking full account of the workings of power relations and cultural processes of marginalization. We need to develop ways of speaking openly about these issues even when the participants in the mediation do not bring them up. To do so, we need to equip ourselves with an analysis of power and its manifestations in cultural contexts that prepares us for this task.

Beyond a Problem-Solving Approach

It is such a task that we think the development of a narrative approach to mediation helps us address. When we speak about a narrative approach, we are not just referring to the story-telling process that might occur in mediation (even though a narrative perspective might well yield changes to the practice of eliciting the telling of stories, along the lines which Sara Cobb [1994] has suggested). Rather, we are referring to a usage of the word *narrative* that urges us to see all events as taking place within, and being shaped by, larger stories. A whole mediation process itself might be seen as a plot development in the story of a particular relationship which endures through time.

Stories, or narratives, have idiosyncratic lines of development and yet can be seen to embody the thematic influences of the cultural contexts from which they arise. Stories afford us opportunities to develop characterizations of ourselves and of others, and to cast our actions in the light of such characterizations. Moreover, any one story can be understood as being in the tradition of, or representative of, a genre of similar stories, the intertextual history of which helps us make sense of any one of its examples. For example, a particular divorce narrative can best be made sense of in relation to the "gravitational pull" that might be exerted by the generalized stories of

divorce, and of gender relations, and of parenting, that might be circulating in the cultural contexts in which the protagonists live.

A narrative approach to mediation also begins with a different set of assumptions about conflict from the assumptions that support a problem-solving approach. Instead of viewing conflict as resulting from a situation of dysfunction that can be set right (such as unmet needs), the narrative approach begins with a post-modern recognition of the existence of differences between people. People differ not only in the real conditions and opportunities of their lives, but also in the stories they draw upon to make sense of these differences. Sometimes, those stories compete with or conflict with each other. Thus conflict can be understood as the inevitable result of the articulation of difference. In this discourse, relations of power are often laid down according to whose experience becomes privileged (and whose experience becomes excluded) in the dominant way of talking (Foucault 1980).

Such an analysis requires mediators to take an overt position on issues of power and privilege. This is not a neutral position. It is a commitment to work in ways that do not collude with, or inadvertently entertain (through bending over backwards to be impartial) the practices of power as they may be evidenced in the stories people bring to mediation. Therefore, narrative mediators may state openly their opposition to violence, racism, sexism, or class privilege. They seek to embody in their mediation work an overt bias toward the promotion of social justice. Keeping these issues in the forefront of consciousness enables, at times, the deliberate privileging of the voices of those who are usually not listened to.

Understanding conflict from a narrative perspective focuses on language as it shapes our sense of who we are, including our needs. Thus needs, or even interests, are not automatically sanctioned as essential in any ultimate sense but as constructing entitlements for us within particular discourses. In other words, what we need relates to what we believe we are entitled to, and our sense of entitlement is shaped by cultural and social specifications as much as by biology.

From this perspective, the differences between us that from time to time lead to conflict are not necessarily to be resolved but rather understood. Understanding often leads to commitments to action, of course, but it is our experience that understanding is less about the fulfilment of needs and more about their dissolution and disappearance in the light of a new perspective. The valuing of difference is a principle highlighted by a narrative approach to conflict. In coming to understand the nature of a dispute, there are different versions of meaning to be explored, rather than sets of facts to be discovered.

Hence, we might expect that participants in a conflict have been shaped by the ways in which each of them has made sense of the events that have taken place. We might begin to develop a curiosity, not so much about the exact facts of the matter, but about the ways in which each participant

organizes the details into a story. We will also be interested in how this story articulates with the background stories which exert influence in their lives. Our assumption would be that people make meaning of the events of their lives by incorporating them into larger life narratives. Such narratives are not developed in a vacuum but through interactions with other people which are framed by dominant cultural and historical stories (White 1991).

Some stories of conflict might contain descriptions of what has happened that only make sense with reference to, say, particular gender-specific, ethnicity-specific, or occupation-specific understandings. In addition, when people come to mediation, the conflict itself might be expected to have directed them to a narrowing of focus, as other events in their lives have faded in favor of the dominant conflict story. Positive experiences in relationship with the person with whom someone is now in conflict might have been revised and dismissed as mistaken impressions that can now be corrected in the light of the "discovery" of what this person is "really like." This narrowing restricts choices for possible actions and makes available options seem unsatisfactory.

On the other hand, despite this narrowing of focus, people in dispute with each other will still have lived experience that falls outside of the dominant story of the problem (White and Epston 1990). They might be able to locate aspects of this experience that do not fit with the story of conflict that has preoccupied them and brought them to mediation. Stories that people live by are full of gaps and contradictions which are usually little noticed because of the apparent overwhelming dominance of the conflict-saturated story. Giving these contradictions and gaps, more attention can open up spaces for change (White and Epston 1990; White 1991 and 1995). This field of unstored experience provides a rich and fertile source for the generation, or regeneration, of alternative stories and, consequently, reconfigured relationships.

The mediator's task, from a narrative perspective, is to work with the participants to explore the narratives behind their conflict story, and then to identify and develop alternative, preferred stories. In this way, mediation provides an interactive space in which nonadversarial narratives can be advanced. Conflict narratives, first of all, must be destabilized by means of carefully worded questions which encourage participants to see things in different ways. This might be achieved in a number of ways. One method described in the therapeutic literature involves the development of an "externalizing conversation" (White and Epston 1990; White 1989; Tomm 1989). This rhetorical method introduces an unusual way of speaking about conflict issues in which experiences are reified or objectified, even personified. The "argument," for example, might be spoken of as having a life of its own and having a problematic influence on the persons in the relationship.

This unusual way of speaking allows us to view from a new perspective, or deconstruct, the narratives that have lent their weight to the development of the conflict. The leverage gained allows mediation partici-

pants to disidentify with, and separate from, the conflict narrative and to take up the position of author of the ongoing narratives which give meaning to their relationship. In the process, externalizing conversations can serve the purpose of interrupting cycles of interaction focused on blame and guilt or accusation and denial. In our experience, such cycles are usually associated with the production of impasses. Then the stories of the conflict can be opened up to alternative meanings and interpretations. Thus participants in a narrative mediation are challenged to consider new ways of dealing with difference, both in the current and in future conflicts.

This approach can be illustrated with reference to the mediation scenario that follows.²

The Scenario

Jim Brown is 26. He works long hours as an auto mechanic and lives in a flat in Hamilton, New Zealand. Dr Elizabeth Smith lives next door to Jim. In her early forties, she's in the last year of a medical residency at the local hospital.

When Jim comes home from his day at work (which requires a substantial amount of physical labor), he likes to unwind by playing loud rock music on his new and very expensive stereo. When Elizabeth comes home from her noisy and tension-filled days at the hospital, she prefers quiet reading, restful music, and early bedtime as her relaxation. Elizabeth has asked Jim many times to turn down his stereo, to no avail, and the two have been engaged for many weeks in loud arguments which are upsetting the entire neighbourhood.

One evening, in desperation, Elizabeth calls the police to complain about the noise. The police arrive and threaten to arrest Jim for disturbing the peace. The next night, Jim again plays his loud music and an argument develops with Elizabeth. In her frustration and anger, Elizabeth throws a flower pot at Jim. It misses him, but breaks his window. Jim contemplates filing a criminal assault charge and small claims action against Elizabeth, but a friend suggests that he try mediation instead. Elizabeth agrees to come to mediation.

Mediation Transcript

What follows is a section of conversation which takes place in the mediation (Winslade 1996) based on this scenario, in which two mediators, Gerald and Alison, work with the two parties in a joint session. This extract comes midway in the conversation between the four of them, which has been preceded by separate meetings with each of the parties. These separate sessions have served the purpose of allowing the stories of the conflict to be aired. In these sessions the mediators have begun the process of deconstructive listening (White and Epston 1990; White 1991; Freedman and Combs 1996) to the frameworks of meaning within which the two parties have been responding to each other.

Earlier in the joint meeting, the two disputants have been introduced to an externalizing conversation. The conflict has been talked about as if it is not identified with either of them and then they have been asked to talk about the effects of the conflict on each of them and on their relationship as neighbors. This extract begins with Gerald summarizing this aspect of what has gone before:

- 1 Gerald [first mediator]: It struck me as we were talking about the conflict that this has carried
- 2 over into your lives and it has had a large impact on your lives. It has worked you over.
- 3 Would that be accurate?
- 4 Elizabeth: Oh yeah, it seems to have taken over my life really. . . in a way.
- 5 Jim: Something's got to change.
- 6 Gerald: What would you describe this whole thing as? If we gave it a name to describe
- 7 this thing that we're talking about right now, this problem. . . what would you call it?
- 8 E: Oooh . . .
- 9 G: Something that we could name together that we were up against.
- 10 J: I'd say it's just a nonsense.
- 11 E: I'd say it's a horrible situation.
- 12 G: Mmm. . . (to Jim) You said before it was an ugly situation too.
- 13 J: Well yeah.
- 14 E: Yeah, it has to change.
- 15 G: Yeah, and you are both wanting it to be different.
- 16 J: Yeah.
- 17 Alison [second mediator]: Yes it's coming through strong and clear, isn't it, that neither of
- 18 you like the way things are at the moment.
- 19 J: No.
- 20 E: No. . . No.
- 21 A: So there's quite a passion for. . . that things change.
- 22 J: Mmm.
- 23 G: You know, when we were meeting with you individually, you were saying a little bit about
- 24 your views of neighborliness and your ideas on that. I wondered, Elizabeth. . .
- 25 you were saying some things about Jim being a neighbor. . . that you

- 26 have been there a year and that things had been okay up until the last four weeks or so. Could you tell Jim what it was like for you being a
- 27 neighbor. . . over that period.
- 28 E: Mmm. . . Well, when I went away, you picked up the mail and I'd collect yours when you went
- 29 away. And we could. . . we could rely on each other to do those things for each other. . .
- 30 mow the lawns when we were on holiday and that was really great for me. I knew that you were there
- 31 if, y'know, I needed something. . . and same for you. . . I expected that to go both ways..
- 32 G: Um. . . you were also saying that you were getting to the point in the last few weeks
- 33 where you were ready to up and leave. . . is that accurate?
- 34 E: Mmm.
- 35 G: And you were wanting to maintain this kind of contact with Jim as a neighbor up until this
- 36 incident occurred. Is that accurate?
- 37 E: Mmm. . . Yes.
- 38 G: And ideally. . . if this problem. . . this horrible situation or ugly situation wasn't there,
- 39 what would you be wanting regarding the neighbor situation with Jim? How would you be wanting it
- 40 to be?
- 41 E: Oh just as it was before really. Just knowing that we were both there and being respectful of
- 42 each other's privacy and peace and quiet.
- 43 G: And wanting to continue with that with Jim?
- 44 E: Yeah it was great before.
- 45 G: I'm just wanting to check out with Jim. . .
- 46 E: Yeah go for it.
- 47 G: . . . what it's like to hear Elizabeth appreciate or describe how she's seen you as a neighbour
- 48 up until the last few weeks.
- 49 J: Yeah well. . . I didn't know about that other stuff that she was saying, but it was a real surprise
- 50 to hear her describe that it was OK between us as neighbors, because my impression was that it wasn't.

- 51 Like I can remember trying. . . I can remember offering to do and that was OK and then
- 52 other times she just wouldn't talk to me and wouldn't say anything. And I got to the point where I
- 53 gave up trying because. . . y'know. . . it was like it was an imposition. . . it was like leave me alone,
- 54 so I left her alone. So my recollection isn't really. . . yeah some of those things happened,
- 55 the holidays, y'know, like mowing the lawns and things but that was yonks ago and like since. . .
- 56 I dunno, it just got cold after that and I don't think there was much communication between us at all,
- 57 but I mean I wish there was. I wish there had been, but I just think it went away basically.
- 58 G: Alison, were you wanting to ask about Jim's view of neighborliness.
- 59 A: Yes, Jim having heard Elizabeth's ideas about neighborliness. . . um, what are your ideas on.
- 60 J: What a good neighbor is?
- 61 A: Yeah the kind of neighborliness that you'd like.
- 62 J: Mm, OK. . . Well I dunno. It was pretty much as she described it, but that's not what I recall,
- 63 y'know. . . I think a good neighbour is someone you can rely on, someone that can be there and
- 64 um. . . I mean I'm not talking about, y'know, into each other's homes and kitchens and whatever
- 65 else but, y'know, somebody that will, y'know, keep an eye out and, y'know, that, if you yell,
- 66 they'll. . . um. . . offer support.
- 67 E: Mmm.
- 68 J: . . . and y'know and I dunno about mowing lawns. . . that's not my favorite sort of thing but
- 69 y'know somebody there. . . so um, yeah . . .
- 70 G: (to Elizabeth) You're agreeing . . .
- 71 E: Mmm.
- 72 G: . . . with this view?
- 73 A: Well. . . we heard that Jim was surprised at some of the things Elizabeth was saying.
- 74 Elizabeth, what's your reaction to some of the things you've heard Jim saying about his ideas on

75 neighborliness?

76 E: Well I guess I was surprised to hear that, y'know, he thought there were sort of bad feelings

77 or something between us because we weren't talking. Y'know, I'd never dreamt that that was happening.

78 I felt fine. Perhaps I'm really tired when I come home from work and when I see you

79 out on the front lawn and coming home I sometimes don't feel like talking and, y'know, it's not

80 because I'm snobbing you or anything. . . it's just because I'm wanting to get home.

81 A: (to Jim) What's it like for you to hear that?

82 J: Mm. . . OK. . . well that's different to the perspective that I had on the situation but I mean. . .

83 I guess it wasn't helped by the phone calls and the wall-thumping. If that was really how it was

84 then why get down to that level? I just don't understand why it got so ugly?

85 G: Do you both want to go back to the relationship you had as neighbors before. . . um sort of. . .

86 the most recent things that have been happening. . . is that what you're both wanting?

87 E: Mm. . . I've already said that. . . yeah.

88 G: Yeah. . . I guess I'm just really rechecking because it's kind of important to know if that's what

89 you really do want. . . (to Jim) You're looking thoughtful.

90 J: Well just that I was hoping that it could be better than it was before.

91 G: Yeah, I was wondering if you were thinking that.

Commentary

This segment of conversation illustrates several features of the narrative approach to mediation. In particular, we want to highlight three aspects of the mediators' strategy in the conversation and the parties' responses to these strategies. These three aspects are:

- the elaboration of an externalizing conversation;
- the recovery of unstoried experience; and
- the thickening of an alternative story.

As well as illustrating these strategies from the transcript, we shall go beyond the transcribed conversation and suggest some more generic ques-

tions that might typify this way of working, so that it might become intelligible as a method that can be applied in other circumstances.

Externalizing Conversation

The mediators, from the beginning of this segment and consistently throughout it, speak in the rhetorical mode described in narrative therapy as an externalizing conversation (White and Epston 1990; Tomm 1989). They speak about the conflict as an "it" or "this." For example, "It has worked you over," or, "This has carried over into your lives" (lines 1, 2). They avoid expressions like "your conflict" which might tie the parties closely to an ownership of, or identification with, the conflict. They do not begin sentences in which they are describing the impact of the dispute on each person with the classic openings of client-centered, active listening: "So you feel... because..." (for example, see Egan [1994]). Instead, the problem is ascribed agency for the problem and the persons involved are positioned as recipients of "its" malevolent designs. This is a playful, sometimes quite arresting way of speaking which has the effect of inviting a restorying of the events within a different frame of understanding. It subverts the tendency of blame and guilt to govern relations of conflict. But it also offers an alternative to the familiar humanistic discourse about assuming personal responsibility for the problem as the way out of blame and guilt impasses.

This practice is consolidated by the invitation to the two parties to participate in a naming ritual. They are asked, "What would you call it?" (line 7) and they reply by arriving between them at a new name for the "Ugly Situation" or "Horrible Situation" (lines 11, 12). In so doing, the tendency of the dispute to objectify each party as an object of the other's blame is overturned, and the implicit right of naming assumed by this interaction positions them both as subjects, as actors, and objectifies the argument itself.

It is noteworthy that the two participants begin to adopt this way of speaking themselves. They speak about the problem as an external entity too in expressions such as: "It seems to have taken over my life" (line 4) and "It has to change" (line 14).

In the process, there is a subtle reorientation that takes place in the positioning of the two parties in relation to one another. At the beginning of the mediation process, their orientation to each other might be characterized as a head-on oppositional stance. It might be easy to imagine them standing glaring at each other, each ascribing the origins of the problem to the other. However, in the course of this externalizing conversation, they are invited to realign themselves. They are given the chance to view the problem as an imagined other, a third identity in their relationship. They are asked questions about the effects of the problem in their lives and are both positioned simultaneously as "victims" of the problem's "tyranny" (e.g., line 2). In other words, they are spoken of as on the same side, "glaring" away from each other at the imagined entity the conversation has created. They find themselves agreeing on various things, such as the desire for something to change (lines 5, 14, 16, 19, 20) or the similar names they come up with

(lines 11, 12). In addition, they both hear each other make these statements of agreement. From a narrative perspective, we might then expect that any subsequent versions of the conflict story would need to incorporate these agreements.

In order to further illustrate the process by which such externalizing conversations might be generated, we now list some questions introduced by the mediators (elsewhere in this conversation) which succeeded in opening up lines of conversation which contribute to this repositioning:

- Jim, could you tell Elizabeth, and Elizabeth could you tell Jim, how this argument has affected you, how much it has dominated your life?
- What has been putting your relationship under siege?
- What effect has all this had on you? What is it costing you?
- Has this issue had any spinoffs in other areas of your life?
- What is the meaning of music in your life? Where does it fit for you in relation to your work?
- What are your ideas about neighborliness?

In addition to the introduction of a separation between the identity of the persons and the identity of the conflict, these questions have two specific purposes. One is a careful and curious (not to mention deconstructive) exploration of the meanings ascribed to events by each person.

The other is a mapping of the effects of the conflict in the lives of each party (White 1989), including a full expression of the emotional impact on each person, without any implicit invitation to succumb to the intoxicating attractions of blaming ways of speaking.

Questioning about the relationship between the elements of the dispute and the work contexts of the two parties bears specific highlighting. In this example, information about the occupations of the two participants provides a window into the ways in which social class differences have been at work in the production of this dispute. They have led to Jim (the mechanic) interpreting Elizabeth's (the doctor's) brusqueness as "snobbing" him. They produce a different relationship between work and leisure for the two parties and very likely contribute to different tastes in music.

Although there is little overt deconstruction of this issue in this segment of transcript, there are many instances where awareness of the effects of social class on the meanings that can be made of events is evident. It is quite common in narrative mediation for these issues to be talked about much more overtly than in this example. Participants may be asked directly how, in their opinion, the differences in social privilege for doctors and mechanics might have shaped the development of this dispute. The practice of externalizing the problem lends itself to such deconstruction, since it provides a rhetorical framework for the recognition that there are forces larger than either of the individuals at work in the situation. When we are talking about social forces at work, it makes little sense to locate these inside the

individual as an internalizing way of speaking would imply. It makes more sense to ask both parties to join in mapping how the (externalized) larger social forces have helped to catch them up in conflict that neither of them particularly wants. Such talk helps to defuse personal blame and to set the stage for resolutions that promote social justice.

Another method of introducing an externalizing conversation around a conflict with a complicated history is to map it as a chain of events through time. The cyclic or recursive nature of the interactions around the problem can be mapped and traced backwards and forwards. The vicious cycle can then be externalized and talked about as "this whole cycle of reactions and responses." At this point, the mediator can engage both parties in a deconstruction of how the cycle of interaction started to take over, how it caught both of them up in its patterns against their better judgment, or how they came to dance to its tune rather than to any of their own preference. In the process, blame can be detached from either party and ascribed to the cycle itself. The cycle can even be ascribed responsibility for generating the heated emotions of antagonism that each party may have been experiencing.

Questions that might be asked to elicit this step are:

- How did this conflict develop? What was the sequence of events that took place?
- When he/she did that, what did the conflict invite you to do in response?
- Would it be fair to say that there has been something of a vicious cycle here of one event leading to the next? Is this cycle something that you would like to continue, or would you like it to stop?

Recovering Unstoried Experience

The next aspect of the transcribed conversation that we want to point to is the elaboration that takes place, in response to questions introduced by the mediators, of experiences that stand outside of the influence of the story of the dispute. Here are some of the questions asked that initiate a conversation in this direction:

- Could you tell Jim what it was like for you to have him as a neighbor (referring to the period of time before the conflict arose)? (lines 26-27)
- . . . If this problem. . . this horrible situation or ugly situation wasn't there . . . what would you be wanting regarding the neighbor situation with Jim? (lines 38-40)
- . . . what it's like to hear Elizabeth appreciate or describe how she's seen you as a neighbor up until the last few weeks. (lines 47-48)

Each of these questions invites a response that speaks about an aspect of life which remains outside of the conflict. These exceptions to the dominant story of the argument, or unique outcomes (White and Epston 1990; White 1989 and 1991) are of different kinds. Sometimes they appear as

events that lie outside the plot lines of the conflict narrative, for example, the bringing in of each other's mail (line 28) or from a different time period in which the conflict did not dominate, that is before the music issue arose (lines 28-31, 35, 41). Sometimes they are surprising little discoveries each party makes about the other's intentions or motivations or life circumstances which have not until now been available as data from which to construct a satisfactory account of events (lines 49-50, 76-78, 82-83). Sometimes they are simply little moments of shared agreement or understanding that have been ruled out in recent weeks due to the restraining influence of the conflict (lines 70-72).

As these little moments of agreement appear, the mediators draw attention to the meanings that the parties share. Differences are now contextualized in the light of the things they agree about. Surprises, or news of difference (Bateson 1972), are discovered and then amplified by asking each person about the meaning for them of what the other is saying (lines 47, 73-75, 81). Each surprise, each piece of knowledge that accrues about the other person's frame of reference, is a unique outcome. Each piece is like a pebble rolling down a hill. Gradually the pebbles gather to form a landslide. When enough force accrues behind the landslide, the rigid structures of interpretation through which each party has been making sense of the other's story can be swept away.

Other questions that occurred elsewhere in the conversation (not in the current transcript), but which served the same purpose of eliciting exceptions to the story of the dispute, follow:

- In the face of this conflict, what resources have you drawn on to keep going, to maintain hope, to come to this mediation?
- Has there been a time when your relationship was working better than now? What was happening then?
- What are you appreciating about what Jim/Elizabeth has been saying? What does it mean to you?
- Have you made any moves or thought of any steps you could take to include the other person's concerns in your thinking about your own actions? What enabled you to do this? What does it suggest about the possibilities in your relationship?

These questions can yield little nuggets of information that a skillful mediator can mine in order to undermine the power of the problem. They serve as windows on a different reality, on a different version of events. As these questions are answered, they open out onto a view of an alternative story in which the themes of understanding or cooperation feature more strongly than the themes of conflict or argument.

Thickening the Alternative Story

The odd exception, however, does not by itself make for a well-rounded or plausible story in its own right. This must be fashioned out of the shared

understandings that are established and the learning the parties are doing about one another. To this end, links must be made between exceptional events. Surprises must come to seem not so surprising because they fit with an alternative story rather than contrast with a problem story. In order to achieve this shift, what appears at first to be a surprise is carefully examined in order to better understand its occurrence. Its history is mapped and its links to other histories drawn.

A different story of relationship needs to be developed and made strong enough to at least compete with the story of conflict. This story is not just a list of events. To count as a narrative, it must be more than just a chronological table. It should have thematic consistency and feature characters developing and demonstrating personal qualities. As in any story, the author may exercise the liberty to comment on the action. In the transcribed text, each time a unique outcome is uncovered, the mediators invite some comment from each of the parties (lines 47, 74, 81). They are being asked, in Jerome Bruner's (1986) terms, to "perform meaning" around these events, and to incorporate them into their consciousness of the relationship between them. The result of this weaving of a carpet of meaning, even as they stand upon it, is that an implicit narrative of relationship, pleasing to them both, is being developed. This narrative no longer fits with the events of the dispute.

Once this alternative narrative has been roughed out, the mediators can ask the parties to evaluate the desirability of the old story and the new story (lines 85-86). Both parties hear themselves and each other make a commitment to move away from the problem story and toward a story of understanding and respect (lines 87, 90). Such editorial comment itself becomes part of the evolving narrative. It opens space for the crafting of sequel episodes, which further extrapolate the themes of the preferred story.

Of course, the damage done within the framework of the conflict story still needs to be addressed. Depending on the context in which a mediation takes place, overdue payments may have to be settled; arrangements for children's custody may have to be agreed upon; job descriptions and terms of employment may have to be revised; apologies may have to be given. In the scenario we used here, some agreement about the use of the stereo needs to be worked through. At this point, our approach to mediation converges again with the problem-solving approach. There is still a place within our framework for the processes of generating options and then exploring those options and negotiating mutually satisfying outcomes.

What is different, though, is the context in which this process is framed. Rather than following hard on the heels of the hearing of problem stories, the exploring of possible agreements follows from the establishment of an alternative story of relationship. For example, a counterstory of understanding or agreement or cooperation might be established before any attempt is made to address the specific problem-solving tasks of conflict resolution. As such themes are woven into a fabric of events which

has historical continuity, a sense of hope is built that things can be different. In this atmosphere of hope, the generation of options for change and the exploration of the fit of such options for each party is often easily achieved. Resolution options generated can subsequently be written into the new story as significant plot developments.

For example, Alistair and David had been in serious conflict over their respective roles in an aluminium boat construction company. The mediator had storied the nature of the conflict that had arisen between these two men over a three-year period. While a problem-saturated account of their work together predominated, the mediator prompted them to explore the significance of their time together where they "got on." Careful questioning revealed several small areas of their involvement with one another that were not completely taken over by conflict. Sharon, the mediator, was curious about how they could maintain a semblance of cooperation and why there hadn't been a complete breakdown in communication. With the aid of the mediator, a counterstory of cooperation began to be developed. Both parties recognized that they had respect for one another's ability. David recognized Alistair's talents in design engineering and Alistair recognized the abilities David exhibited in production management. Both agreed that the conflict had not made it easy to appreciate each other's contributions in recent months. This recognition of one another's professional competence led to the building of a modest foundation of mutual respect. David and Alistair would not be the best of friends but they were willing now to generate some different possible futures from the one which conflict had mapped out for them. Now that the conflict story did not completely dominate, the mediator could discuss with them how their respective roles could be managed in ways that prevented conflict from taking charge.

In our experience, the process of negotiation and resolution becomes much smoother and features a greater degree of good will when it emerges from an alternative story of relationship, one that has been discovered to have *already begun*, rather than one that seeks to begin tentatively in the negotiation itself. Therefore, we believe that the narrative mediation process might be distinguishable from other approaches because it spends more time exploring the relational possibilities that make agreements possible, and therefore requires less time to actually negotiate these agreements.

It is common for mediation to end with the signing of a written agreement. This is true for narrative mediation too, although we see the purpose of such a document a little differently. The written agreement may be a negotiated contract aimed at the resolution of outstanding issues; but it is also, from a narrative perspective, another plot development in the preferred story of relationship between the two parties. Documenting the alternative story is seen within a narrative framework as a way of strengthening it. It may serve as an anchor for the memory of what has taken place

in the conversations in the mediation itself or as a reference point to assist the participants to stay in touch with the spirit of the alternative story achieved in the mediation sessions.

With this purpose in mind, mediators working in a narrative mode might write an agreement document, not just as a simple contract, but also with some references to the kind of relationship the contract is designed to embody. If such language is not appropriate to the agreement itself, it may be included in a letter sent by the mediators to the parties after the mediation. Such letters can be written along the lines of the therapeutic letters White and Epston (1990) have described.

In the review session that takes place some time later, the mediators ask about the development of the new story that has taken place since the previous meeting. This is not just a "checking up" on the adherence to agreements made or goals set in the last session (such as we might expect in a problem-solving approach). In a narrative approach, the review is also a search for new developments that might not have been predicted by anyone in the last session. Attention is directed to the decisions, steps, new ideas, differences in mood, everyday exchanges or tiny moments of developing cooperation that may otherwise be scarcely noticed. These are deliberately built into the alternative story. The purpose of the conversation is not just confirmatory but generative of the new story. As further unique outcomes are discovered or generated, their significance can then be speculated upon. Thus the alternative story of understanding and negotiation is articulated both in the conversation of the mediation session itself and in the new developments that take place in the relationship between the two parties.

The Narrative Approach to Mediation — A Summary

We conclude with a seven-point summary of the features of a narrative approach to mediation:

1. *Listening to the stories.* As with other approaches to mediation, the narrative approach begins with the hearing of the stories of the dispute. But this hearing has a slightly different focus than other approaches to mediation. We are not so concerned with the establishment of facts or with the clarification of positions or interests. Rather, we are interested in the connections between events and the ways in which the parties make meaning of events. We regard the process of making meaning as far from haphazard. It occurs in relation to implicit stories, of which we are sometimes only dimly aware, which nevertheless exert a gravitational pull on our actions and entitlements. Some of these stories are local in their sphere of circulation and some are pervasive discourses about, for example, gender, class, and race. Our intention is always to hear the conflict stories in the light of the meanings suggested by such background stories rather than to focus on isolating events from their social context.

2. *Deconstructive inquiry.* We then seek to loosen parties' attachment to their positions by initiating a deconstructive inquiry into the background narratives that might be informing the meaning that the parties have been making in the story of the conflict. The deconstructive inquiry is assisted by the development of an externalizing conversation in which the conflict or argument is talked about in a way that does not internalize blame in either party.

3. *Searching for unique outcomes.* The alternative story of cooperation or understanding begins with this deconstructive inquiry and continues into a search for unique outcomes in the relationship of the two parties or in the actions or intentions of either one of them.

4. *Building a counterplot.* These unique outcomes serve as building blocks for the development of a story which serves as a counterplot to the conflict-saturated story. The new story is thickened by building into it areas of agreement and cooperation that emerge during the mediation meeting. These developments can be accounted for with reference to past events of a similar nature, to descriptions of character or identity, or to thematic descriptions of the relationship.

5. *Generating options.* As this story reaches a degree of salience to which both parties can make some commitment, the generation of agreements that might resolve the original dispute can naturally follow.

6. *Documenting change.* The new story is then documented in an agreement and/or in letters to the participants.

7. *Reviewing a new history.* Later, a review is held of how the understandings and agreements reached in the mediation have evolved in practice. Words spoken and pieces of paper with intentions written down upon them do not have about them the compelling nature of lived experience. Between the mediation session(s) and the review, a new history develops. Hopefully, this is a history of the alternative story. A review session aims to develop an account of this new history. This account should include the parties' lived experience of agreements made at previous meetings, but it should also be open to the inclusion of new ideas or discoveries about how to escape the grip of the conflict story.

NOTES

An earlier version of this article was presented by John Winslade as a paper at "Self and Other," the Fifth International Conference on Narrative, 18-20 October 1996, University of Kentucky, Lexington, Kentucky.

1. The three authors are all mediators and trainers for Waikato Mediation Services, a community mediation service based in Hamilton, New Zealand. We would like to acknowledge the other members of this mediation service who have contributed in large measure to the development of the ideas we present in this essay.

Several members of this group particularly deserve mention because of their participation in the production and recording of the conversation which is used as an example in this article. They are: Tim Clarke, Saskia Schuitemaker, Bill Anderson, and Stephen Hooper. We would also like to acknowledge the technical assistance of the late Bill Orton.

2. This scenario is a slight adaptation from one which has been used in the mediation literature before (Menkel-Meadow 1984; see also Winslade and Cotter 1997). It is a role-played scenario.

We chose this case to enable comparison between a narrative approach and other approaches, and also because it is difficult to overcome issues of confidentiality in the use of actual case material. We are satisfied that this extract from a role-played mediation represents the work that we do in actual mediation cases.

Anyone interested in a copy of the video of this mediation should correspond with Waikato Mediation Services, P.O. Box 1419, Hamilton, New Zealand.

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