

The melody of mediation

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Conducting the mediation to let flow

A scheme of mediation introducing its score based on the view of Integrated Mediation

Mediation is much more than a mechanistic process structured by some phases. Mediation plays a melody. A professional and experienced mediator is able to hear and to produce it. He can feel the rhythms created by mediation. Behind rhythms he finds a cognition flow. Parties have to get into that flow in order to achieve an amicable settlement.

Mediation is a searching process. It shows up as to be a pure process management. The mediator's task is to help parties going through that process for solution finding, where the mediator her/himself is not directly involved in content queries.

A stupid headnote says the mediator should be responsible for the process solely. He conducts parties through it. That's neither true nor is it a good style. Music gives a nice metaphor approaching the mediation process. At the beginning of the process parties do hear their own voices only. They cannot hear the choir. They even do not feel like singing together in a choir. At the beginning they even do not want to play the same melody. The more they become able to hear the choir, they will be able to play the same melody.

It's the same situation like in an orchestra. The single musician hardly can hear the music like the audience for example. This has to do with the position of listening, acoustic in the hall, loudness and the kind of instrument and many more issues. The mediator might be seen like a conductor now. He is a part of that orchestra but he doesn't play an instrument himself. His position allows him to hear the music almost like the audience might hear it. He hears all the instruments playing not only one. Compared to mediation, the musicians are the parties. The conductor helps them playing the music according to the score and producing the melody wanted.

The melody appears like swinging. Tempi are changing, the beat also. We'll find solos and choir parts, rounds and breaks, different instruments in different tone pitches. The tone will be changing also as well as the volume. There will be a tension. Without a tension the melody becomes boring. A development will not be possible. The mediator must be able to feel and to steer that tension to climax the play. Tension makes the music an interesting one.



Like in music everything needs going together to make the melody a harmony.

When the music sounds weird, something should happen to achieve harmony again. Now the conductor must have an idea who's playing wrongly. He even must take own mistakes into consideration, as he is a part of the orchestra himself. The score always is good. The question is why is it not possible to play the music according to the score, as it should be?

Now it always might happen, that a musician gets out of tone. That doesn't matter so much. There is no audience the musician play for. In mediation, musicians play for themselves only. To stay in that metaphor it might be compared with a rehearsal, best with a final rehearsal. Thus it doesn't matter that much if one gets out of tone or hits the wrong beat. The conductor will hear it. Now there might come up a difference between mediation and the metaphor chosen, depending on the mediator's style.

In the world of music, the conductor interprets the composition. And it's him giving the music an expression. A conductor of that style intends to directive the instrument players and singers. Such a conductor jeopardizes insights of the parties, as they still are not able to hear the whole music and more than the own voice or the own instrument. A conductor who likes parties playing the music according to individual resources and competences, more would present the music, where the weird sound is getting aware to the parties. He will allow insights for that and discuss with the players what to do to make a harmony coming out of that. Now he is empowering the players and singers to play and sing as it fits best to the orchestra. We identify different kinds of how to play the music. One is more like a jam-session, the other one is strictly following the sheet music. Both works, nevertheless a jam-session is closer to mediation, as the music sheet doesn't exist.

Taking the metaphor of a jam session, the players need to know standards and some rules for going together, where the outcome totally is open. The conductor now is responsible to explain the elements like beat, tone, and everything needed for improvisation. The result now is open and it depends on the musicians and the playing together what the melody will be.

If the aim is to let parties find solutions themselves, it's on the parties to gain the insights allowing that. Thus something must happen and change inside of them. They need insights, other views, maybe filling lacks of information and sometimes even a different understanding of themselves and the world (the music to be played). Having that in mind, the mediators always asks himself (and sometimes the parties 😊) how parties will find the insights needed. His challenge is, he cannot know himself. He therefore trusts in the development where the insights needed more and more are coming up.

Insights are based on the way of thinking. Mediation describes how it should be and under which conditions it will be quite roughly. It's the melody to be played. Mediation is providing a structure influencing the way of thinking. The mediator's loops will structure the steps of thinking. If he knows precise listening, he even will help parties to think in little steps, like a staccato in music. Thoughts will be built on each other like notes are adding themselves to become a composition. Or like bricks building up a wall. The mediator neither knows how that wall will look like or the composition will present itself. But he knows the bricks and the notes and where something is missing to finally arrange a composition, that doesn't sound weird at the end.

To understand the flow given by mediation a bit better and to learn which elements are needed, this scheme might help to understand the cognition flow behind mediation. It might help understanding the rhythms and the steps to be achieved in mediation. An integrated mediator is able to feel that flow and to let him fall into the process, where the result is caused more by the process than by the mediator. The mediator's task therefore is to initialize that flow and to keep parties in it. Mediation is a genius process, able to deal with complexity. Thinking is influenced by the structure of the process and by structuring thoughts by the mediator inner the process.

Out of tone

The music is getting out of tone when harmony is missing. As there is no music sheet available and we more are playing in jam-sessions where improvisation is the leading concept, there are some standards everybody needs to obey in order to produce harmony even in a jam-session. Compared to mediation those standards are given by the core of understanding mediation (its spirit), the principles and the structure. Now these are the basics to make music instead of producing just some noise. But it's not enough. It shouldn't be any music to be the produced, but music liked by everybody listening. That means: the mediator as conductor is interested to produce the best music possible.

Like in music it's not the knowledge about notes and how to play the instruments. One might be a scientific in music but not able to play an instrument. One can be a critic but not able to conduct an orchestra. It's the mixture coming out of feeling and competence. He needs to have that feeling making music sounding nice not weird. The mediator needs to reveal that feeling. Successful conductors know how to arrange a play and to interpret the music in a way that the audience will like it. For a mediator the challenge now is, that the audience are identical with the players. It's like a string or a balancing act. The audience, not him, will have to define what is good music or not. If parties for example want to play atonal music, the conductor should decide for himself if he knows that kind of music and if he is able to hear the melody in it even if it sounds weird for him but nor for the audience. A good conductor therefore knows to play all the music, classic, dance, atonal, jazz, popular, rock, pop, jazz, or whatever. This, compared with mediation, means to know all the styles of mediation like evaluative, facilitative, transformative, integrating and sounding mediation.

A star-mediator (IM) is expected to like all the music. A 2-star-mediator knows to play all the music. Beyond that he is a specialist for jam-sessions but he also can conduct the orchestra in a less open styles. As cognition at least is the mean in mediation, he knows what to do to make mediation affecting the way of thinking in a way, that amicable solutions will become most secure and the melody will be liked. He achieves that goal, when he is free of opinions, when he doesn't need to assess facts himself, nor to think of the outcome. He lives in the moment only and tries to understand and to mirror what just happens in the orchestra. Since mediation is dealing with insights and cognition, he needs a special way of thinking. A mediator doesn't think in or with the heads of others. He let the parties think. He inspires thinking by giving feedback and mirroring all the time, just to make transparent what is happening in the moment. He trusts the music and the natural feeling people have for that. Or, maybe better, he trusts the force provided through mediation.

Phases	Label	Issue	Thinking	Focus	Axes	Law	Methods	Emphasis	Speed	Consulting	Main techniques	Flow
0	Pre-mediation Phase „0“	Planning Conflict analysis									Hypotheses	Getting a first feeling of relationship between conflict and problem. Checking the admissibility of mediation.
1	Initialisation Working bond	Trial ritual Establishing a stable meta level Negotiations concerning the procedure	logic			Law of mediation	Organization				Listening, explaining, negotiating	Warming up Smoothly checking the appropriate mediation style (evaluative, facilitative, transformative, integrated or sounding mediation)
2	Issues	Understanding facts given causing the problem	Logic/dialectic			Positions by law	Inventory	Positions			Listening, summarizing working out positions (claiming) which will be neutralized by issues	Cognitive dissonance Uncover contradictions Making the contradiction acceptable for parties, leaving contradiction as it is. Pointing out the indissolubility of conflict resolution through logical thinking. Switching into dialectic thinking, where the contradiction will become thesis and contra-thesis
3	Interests uncover interests conflict work	Recognition of motives for quarrelling and arguing		Windows 1	Triadic bridge function		Understanding				Intensive loop precise listening conflict techniques and situation-dependant interventions, ...	Motives will be worked out separated from thinking in positions and solutions. This is to enhance party's perception. Breaking thoughts by a sharp separation of positions, interests and needs and solutions is a must. The depth depends on mediation style chosen now latest. It might change again.
		Mediating the motives					Mediating	Interests (motives)	Getting slow and slower		As before additionally pointing out the positive insights, pointing out I-messages, ...	The parties must understand the motives. This is to empower them for making acceptable offers to the other side.
4	Options	Solution as offers		Windows 2	Increasing negotiations among parties				Accelerating		Brainstorming creative techniques	Solutions will now be allowed to come in party's mind. It is important to just collect ideas for solutions and not to discuss them yet.
		Selection	dialectic					Solutions	Slow	Consilience about the process and processing	Turning ideas into offers Loop, precise listening	Working out the proposals for solutions fitting together.

