

By Louise Phipps Senft

The negotiating table

Turning problems into opportunities

DIALOGUE AS AN OPPORTUNITY

Mediation is frequently described as quality dialogue. Specifically, mediation from the *transformative approach*, which is a relational approach to conflicts and disputes. When people are offered a chance to have quality dialogue, amazing things happen. Not the least of which is harnessing the opportunity for people to get clear, to learn something new, to improve themselves, to change their interaction, to improve their relating to each other, and hence to strengthen their relationship both to each other and to the larger world in which they operate. Also supported by empirical research from Indiana University confirms that mediation from a transformative approach leads to significantly higher satisfaction rates as well as settlement rates, which leads me to opine about expanding the concept at this time in our American experience to include the facilitation of quality dialogue between groups of people, even large groups of people, especially now in the wake of Hurricane Katrina and the massive destruction and displacement of so many Americans. Dialogue from a transformative and relational approach offers all parties –all citizens who wish to engage--a unique opportunity. Why is this so?

The answer lies in the innate desire of people *not* to be victims but to be respected and strong, in whatever capacity that is for them. That goes for every family in New Orleans as well as every Marylander watching the TV news, or reading the newspaper or listening to the radio. Katrina has churned up conflict on a scale rare in the history of the United States on levels of economic status, class and race. This conflict is sapping energy, attention and emotions. Smaller scale conflicts create the unwanted specter of the nagging uncertainty of what may happen or not happen in the future; the Katrina conflict is large scale, and much will depend on how we face, deal with and respond to the underlying conflict.

So, if people don't want to be victims and rather want to have their self-respect honored or restored as well as to have others be compassionate and responsive to them, (circumstances which are often a framework for many opportunities for dispute resolution), then why doesn't this naturally happen? There are a number of reasons. Things get in the way such as anger, resentment, misunderstanding, suspicion, and decades of history and previous unresolved conflict. These can seem to all involved like insurmountable barriers. Another reason is that resolving a conflict requires a certain quality of interacting, negotiating (and reporting), and many people don't know how to

attain this quality. The negotiating and “problem-solving” most people do is limited to haggling over who is most responsible or at fault or the cost of the remedy or trying to get the better of another person(s), manifested most often in the form of financial or emotional name-calling, competing and bullying. Furthermore, quality interaction and negotiating often gets waylaid or stuck in blaming or other forms that divert the main or core issues. The result is usually, from a conflict systems lens, inertia and lack of ability to respond or act. It is part of the human experience of conflict. Most people know that this kind of negotiating is often not helpful when two persons are locked in a serious conflict. Now, take thousands of people rather than just two, and see how this kind of interaction and negotiating often leads exponentially to further deeper seated conflict when classes or groups in society find themselves embroiled in serious conflict, as in the wake of Katrina.

Haggling, blaming and posturing can divert enormous amounts of time and energy away from core issues. Haggling and posturing may result in some kind of settlement or aid but leave a situation where the things that matter most to the parties remain unaddressed. Like, in the case of Katrina, a whole class of people referred to as “evacuees” and “refugees”. When in the history of the United States have we ever referred to our own citizens within our own borders as refugees? And, when in the history of the United States have we ever shot down our own safety teams coming to offer protection? Why were black people filmed as looters when white people were filmed as merely taking basic supplies for their families? If the vast majority of looters were black, why is this? How did the welfare state contribute to this? Have we responded differently because people were predominantly black? What is the experience like for those who saw their homes or businesses looted and burned? What is the experience like for so many other black and white folks who were neither filmed nor part of looting or blaming? What is the experience like for those who couldn’t feed their children? What is the experience like for those who provided aid? What do all those who no longer have homes or work need or hope for most, is it different for some than for others or is it the same? What are all the many roles for responsiveness?

These types of questions could be part of a wider dialogue that any person, reader, civic, state or federal leader could engage in to look at the effects of Katrina in ways that reach beyond blaming and haggling, but which offers the potential for responsibility and respect and at all levels. These types of interactions are riskier and may not be initiated by too many people. The reasons for this might be fear or their own despair or jadedness or prejudice or bias. Or it might simply be the fact that people have not thought of “conflict resolution” processes to deal with the effects of Katrina. Or it could be that “conflict resolution” as a concept for many seems to imply compromise or that, if they settled or resolved anything, then it glosses over fault, or that it points the finger and no one wants to risk being at the receiving end.

But I am speaking of something far more broad reaching than mediation and mere conflict resolution. I am speaking of quality dialogue--and the incredible potential it offers for all of us whether directly or indirectly affected by Katrina. Dialogue, *quality dialogue*, holds the key to this potential. Mediators from the transformative approach

know how to facilitate these types of dialogues. You do too if you adopt a relational worldview and learn how to suspend judgment and listen, even if just for a moment. For when judgment is suspended, there is a greater chance for a fuller appreciation of all viewpoints, from which outcomes of understanding, recognition, responsibility, satisfaction and resolution *on genuine terms* often, and usually, spring forth.

Even without the benefit of direct conversation with those who have lost their homes and their businesses, each of us can nevertheless enter into a different type of dialogue about Katrina. Dialogue with our own family members, our own business colleagues and clients that focuses on issues such as how those from New Orleans may like to be heard on matters important to them, and what it is like to be labeled as a class by the media as refugees, what it is like to be labeled as a class as looters and thieves, what it is like to have your home or business not just destroyed by Katrina but then looted or burned, what the emotional cost is for us if we do not grapple with these more hostile issues, what it is like to be the beneficiary of the loving response of so many Americans, and what it is like to rebuild and what is really needed for social change and transformation.

An opportunity awaits. This opportunity needs fostering and could be fostered by you, reader, at this weekend's soccer game, or football game, or dinner table, or next week's board meeting or luncheon. It would be a different approach. One entered into with gentle curiosity and honoring of what all the experiences are like for those directly and indirectly affected by Katrina. Each of us can participate on some level in this by suspending judgment for a moment to listen and try to "get" all the perspectives first and clarity about the larger framework. Amazing and indeed miraculous things often come thereafter.

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