

The Continuum of Power Series

Part 3: The Continuum of Mediator Power and Influence

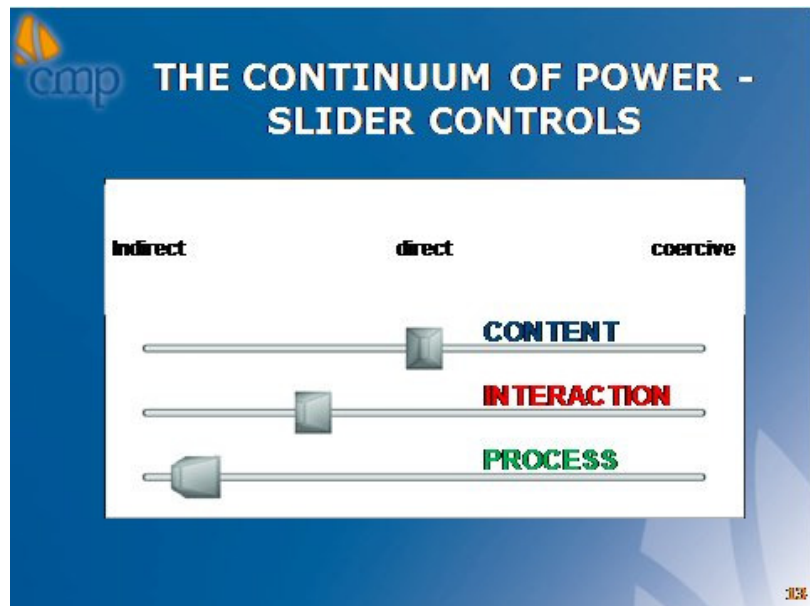
by John Crawley

Mediators are able to influence the way the parties approach the content, interaction and process of their conflict. I have devised the 'slide control' model to help mediators:

- Understand that there is a continuum of power and influence from indirect through direct to coercive. In most circumstances indirect and direct use of mediator power should be enough.
- Reflect on how they use their power and influence.
- More consciously use a range of mediator behaviours to enable the parties to manage the content, interaction and process of their conflict and its resolution.

'Indirect' use of mediator power and influence

At one end of the continuum are indirect mediator behaviours where you are facilitating gently, prompting and nudging the parties. These strategies are often confidence builders, acknowledging of empathising with the parties. Body language will be gentle and open, and voice tone warm and encouraging. These are usually behaviours which encourage high rapport between mediator and parties.



Direct use of mediator power and influence

In the middle are more direct behaviours – requests, reminders, restructuring of interactions, signposting what needs to be done for parties to achieve their goals. Interruptions and use of pauses. Strong requests to refocus, rewind, fast forward and firm reinforcement of ground

rules. Body language will still be open, empathy is still needed, but voice tone will be more direct and a little cooler. There is always a risk that rapport will fall if mediators become more directive, but this can be mitigated by strong use of acknowledgement of feelings, clear signposting of the reason for direction, and the use of neutral, constructive language.

Consequential but not coercive power

As mentioned in an earlier article mediators do not have the right to use coercive power i.e. the authority to force parties to do things. There are times, however when we need to be bold and link strong requests for changes in behaviour to the consequences of not complying. Typically this will take the form of reflecting back behaviour, explaining the effect of that behaviour on the mediation process and the other party and requiring a change. Sometimes it may be necessary to get parties to explicitly recommit to ground rules or behavioural contracts. These behaviours require careful but firm delivery, with assertive voice tone, body language and non-blaming but specific language. More strict application of ground rules may be needed, and once again rapport may drop, but it may be worth it if the parties stay in the mediation and make progress.

Charting the continuum of mediator influence and power

An activity which can really help mediators more consciously use their power for the benefit of the parties is to map out the range of behaviours mediators have at their disposal to manage situations where the parties need help participating and get stuck on content, interaction and / or process. This is not an easy activity, but it will help you manage and apply your power more consciously, appropriately and effectively.

You need to:

- 1) Identify and name a wide range of mediator behaviours, and
- 2) Analyse these core mediator behaviours and place them along a continuum from indirect to more direct.



This article is 3 out of 5 in this series.

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CMP Resolutions work to Close, Manage and Prevent disputes at work through skills development, mediation and investigation services.

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