



Male and Female  
Visions of Mediation

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PCMA Working  
Paper # 2

CRSO Working  
Paper # 334

April 1986

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We examine these issues primarily in United States' settings, in conflicts arising within and between families, organizations and communities, and between different racial, gender, and economic constituencies. The Program in Conflict Management Alternatives is housed within the Center for Research on Social Organization, College of Literature, Science, and the Arts. Its main office is Room 4016 LSA Building (Telephone: 763-0472 and 764-7487).

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# Research Report

## Male and Female Visions of Mediation

*Helen R. Weingarten and Elizabeth Douvan*

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Most conflicts—whether among nations, neighborhoods, business associates, or family members—are managed by the disputants themselves; increasingly, however, the resolution of conflict involves the actions of third party professionals. Over the past decade, the ranks of practitioners claiming expertise in dispute resolution have swelled. Consequently, as professionals from the law, business, environmental, mental health and academic communities attempt to establish their legitimacy and credibility as mediation specialists, investigation into the nature of the third party role becomes increasingly relevant.

The goal of this research is to broaden understanding of the mediator's role, clarify central features of the role as envisioned by successful mediators, and extend conceptions of the mediation process itself by comparing the approaches of male and female practitioners.

Analysis of sex differences in social thought and behavior has served various purposes in different historical periods. Most recently, with the resurgence of the political women's movement and the growth of the new feminist scholarship, the study

of sex differences has focused on correcting bias in earlier studies and revaluing certain qualities and characteristics that women develop because of their historical position as "the other," the socio-emotional experts in the family division of labor, the primary caretakers and nurturers of the young (Aries, 1977, pp. 292-298; Henley, 1977; Rubin, 1979).

In our research, by comparing male and female mediators, we hoped to learn about and describe certain activities, styles, and strategies that would be taken for granted or missed without the comparative frame. We considered gender as a critical variable, therefore, not because sex differences in themselves are important or intrinsically interesting, but because such a focus can enlarge understanding of human behavior and human possibility.

We are not alone in this endeavor. Recently, a number of social and political theorists interested in the connection between feminism and pacifism have focused on the ways women and men interpret differences and confront conflict, the mechanisms they use in resolving conflict, and the satisfactions and understanding they derive from the

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mediating or peacemaking role. (Douvan and Kaboolian, 1983; Elshtain, 1980; O'Brien, 1981.).

Political scientist James MacGregor Burns (1978) has identified models of leadership that seem especially pertinent to the role of mediator and that suggest important differences likely in men's and women's conception of the role. For example, in a "transactional" model, conflict is viewed as an opportunity to reassert and reinforce status differences. In contrast, conflict is interpreted in a "transformational" model as an opportunity to redefine relationships and empower those who lack power, thereby broadening the resource base and changing the power relationship itself.

According to Burns, transactional leaders seek to maintain their position by distributing resources to followers, thus keeping them content in subordinate positions. Transformational leaders, on the other hand, work to empower followers so that they are able to meet their own needs independently.

Insofar as the nurturing parent/developing child relationship is seen to be a salient experiential model of transformational interpersonal power, it suggests that women would be likely to view the leader-mediator role in transformational rather than transactional terms. Because women are socialized to take responsibility for others (Bem, Marlyna, and Watson, 1976; Gilligan, 1982; Hennig, 1977) and are more strongly committed to peace (Baxter and Lansing, 1981; Ruddick, 1980), we would expect that, as "transformational" mediators, they would be likely to include the quality of the relationship between the parties and more equitable distribution of power as explicit goals to be achieved in mediating conflict.

Following from this same line of theory, we would expect that males, frequently socialized to see conflict and competition as zero-sum games in which a fixed supply of goods and resources is to be distributed and the gains made by one person are necessarily matched by someone else's losses (Rubin and Brown, 1975), would be likely to view the mediator role from a "transactional" frame. In this construction, the freedom of individuals to pursue their respective self interests is a core value to be guarded and the mechanism governing social interaction (Burns, 1978). The neutrality of the mediator, exemplified by a refusal to change existing power balances between disputants, is central to a "transactional" conception of the role (Bernard et al., 1984). Indeed, as Bellman has described such a position, his role as an environmental mediator is to make "the lion-lamb relationship clear to the lamb (1982: pp. 2-3)."

Traditional social science literature also provides incentives for studying the influence of gender on conflict management. Gilligan (1982) distinguished women's and men's core psychological conflicts and explored the implications these have for the person's orientation toward resolving ethical-moral dilemmas. Her argument suggests that as conflict reinforces difference and individuation it will be reassuring to the male in his primary task of achieving autonomy but unsettling to the female in her primary task of achieving relation. Thus, the ways in which men and women comprehend and resolve conflict should vary significantly.

The small group, organizational, and applied practice literature also include numerous studies identifying gender as a critical discriminating variable across a wide range of

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leadership and membership situations (Kantor, 1983; Leavitt, 1982; Rubin and Brown, 1975).

Many studies have found that men focus on task aspects, while women are more sensitive to interpersonal aspects of group situations. Women listen more and speak less than men do in groups (Lakoff, 1975; Thorne and Henley, 1975). They tend to ask questions rather than make positive assertions. They are responsive and reactive where men are more likely to initiate exchange (Aries, 1977; Henley, 1977; Thorne and Henley, 1975). While men focus on instrumental task accomplishment, women are more likely to focus on and respond to the feelings of others and to the emotional tone in social situations (Douvan, 1977; Eakins, 1978).

It is not that social scientists have discovered a particular set of skills and strategies practiced by only one sex or the other. Rather, recent work indicates that gender makes a difference in the selection of goals, in the styles of behavior expressed in practice, and in the ease with which cooperative strategies are employed.

Particularly at a time when alternative dispute resolution is gaining attention and popularity and new roles for conflict managers are proliferating and becoming professionalized, it seems critical to enlarge our picture of the attitudes, motives and constructs that effective third parties bring to their work. We approached our research, therefore, with the assumption that inclusion of gender as a focal variable was crucial. If we are ever to gain a comprehensive view of the factors influencing successful mediator performance, and ultimately translate these insights into workable features of training for practice, the unique, complementary, and shared insights of both sexes must be better understood.

## Method

This paper reports and comments on the results of intensive, open-ended (two to four hours) research interviews with twenty-four mediators (twelve men and twelve women), who are active in a variety of professional settings, and were identified by their colleagues as highly skilled and successful conflict managers. Our method was to encourage respondents to express themselves fully about how they chose their profession and established themselves in it and how they conceived of their role and of the mediation process itself. These men and women, are, after all, professional communicators who represent themselves through language, who know the meaning of words and are skilled in saying what they intend. Thus, our intention was to add focus to their descriptions—not to direct or constrain their views along preconceived lines.

Because traditionally academic research has used college student subjects in experimental game situations, our data from professional mediators offered a unique opportunity to advance both knowledge and practice. Given that the small sample we selected to interview and the anecdotal presentation of our findings were not representative of the views of all working mediators, we recognize that any generalizations drawn from our findings must be tentative. It was our belief, however, that we need studies that are qualitative as well as quantitative, research that is designed to capture the richness and complexity of experience as well as its most frequently encountered aspects.

We developed our sampling frame by asking four professionals who both mediate and train mediators and are active in national organizations in their field to nominate people who

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they thought were the most outstanding mediators they knew. With this list in hand, we proceeded with a modified snowball technique, requesting interviews with a sample of those nominated and asking these respondents, in turn, to nominate others.

We chose the sample to represent a variety of settings and content foci (e.g., international trade, labor-management, environmental, academic and church conflicts, domestic). The 24 respondents included four who operate in institutional roles that serve to establish their legitimacy. The other 20 work primarily as independent professionals, though some had held institutional roles at some time in their careers. Many of them combine training and mediation in their practice. Most are active in national professional associations, and several have held high offices in these organizations. Respondents are from Michigan, New York, California, and Washington, D.C. They range in age from 35 to 80, and the mean age for the group is 50.<sup>1</sup>

By choosing the sample and method we did, and by refracting the mediation process through lenses of setting and gender, we hoped to enlarge our perspective and understanding of the visions and skills, strategies and intentions that highly skilled conflict specialists bring to their work. Thus, rather than working to link behavior to its cause, we tried in this analysis to link behavior to the meaning it has for the actor. We felt that this stage in the development of knowledge was the time to emphasize neither parsimony nor prediction but rather to look for patterns that would generate and foster more informed and representative research in the future.

To this end, although we chose gender as a central filter, we did not

think that men and women would necessarily construe the issues in ways that oppose one another. We did not expect that the differences that would lead to the reporting of skill differences in practice.

All respondents were, in fact, women and men explicitly committed to, and financially supporting themselves by, resolving conflict through nonviolent, nonadversarial, and nonlitigative means. All shared a vision of alternative systems, and all had had long experience that led them to acquire situationally necessary and relevant skills. We were thus looking for subtle effects, the delicate nuance of thought or gesture that would reveal an aspect of intention or intervention previously unnoted in formal descriptions of the mediation process and in training materials designed to initiate (or motivate) beginners to careers in conflict resolution.

## Results and Discussion

*Gender as a salient influence on professional mediation practice.* For many respondents, the conflict mediator role required a break with traditional sex role socialization: "My mother inspired me to work for peace," reported a male organizational consultant and mediator with a long history as a civil rights activist. Describing early influences on her career choice as a labor mediator, a female respondent noted, "My father was a union organizer. I guess watching and listening to him taught me to argue and kid around like one of the boys." Men in the study were as likely to stress what they identified as feminine qualities—an ability to listen patiently, for example—as women were to stress their persuasive talents and ability to work well under pressure.

What was clear from the interviews as a whole, however, was that

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men often did not conceive of gender as a relevant issue in their immediate preparation for, or enactment of, the mediator role. For example, at the end of each interview, when we clarified what we were studying and why, men very often said that they didn't think it made any difference whether a third party was male or female. And, among academic colleagues who study conflict processes, the males often denied the usefulness of gender as an analytic category (At one invited talk, the male moderator even began his introduction of us by asking how many people in the audience questioned the relevance of looking at gender and conflict).

Women, on the other hand, never considered gender irrelevant. They thought it both influenced their vision of the role of mediator and the process of entry—getting into the negotiation and legitimating the mediator's role and value. They were often conscious of choosing co-mediators with gender in mind. And, they thought aspects of their sex-linked socialization and roles were relevant and valuable in their ongoing work.

The majority of women in the sample viewed gender as an important sensitizing principle. Their gender, they asserted, led them to ask questions and look at aspects of process and role that went unnoted in the descriptions of their male colleagues. In addition, female mediators reported that taking the potential impact of being female into account was most critical for role performance at the point of entry into the field.

Women, by and large, were more acutely aware than men of problems in legitimating themselves and their role as mediators. One woman attorney who now specializes in divorce mediation spoke at length and in detail about the value of her law degree in establishing her as a legitimate

expert. "The issue in mediating is not just that the parties be ready to negotiate," she said, "but also that they accept *you* as a person who has the power to make the process work." Accomplishments that invested her with legitimacy and power, she believed, were her law degree, established practice, and the fact that the Court recommended her to potential clients.

Another female respondent, a management consultant who specializes in conflict management involving multinational organizations, was explicitly aware of gender as the critical variable for her in establishing credibility: "Top executives very often can't even see me when I walk in," she said. "They can see women—they have experience with women—as mother, as sister, lover, daughter. But they have no category for woman as peer or as expert." Despite years of experience, this female professional asserts that her male partner is critical to her acceptance in some situations. And, though gender is not the only reason she has a male partner, she is clear that it has made for a highly functional arrangement.

In addition, it is important to note that institutional context often dictates the influence of gender on self-consciousness and performance. Women mediators who work in institutional settings where their role and functions are established, legitimate features of "the system" (e.g., university grievance officers) were less likely to perceive gender as relevant to role acceptance or performance than their peers who work in settings where personal initiative was the means of establishing credibility. The more structured or institutionalized the third party role was, the less likely it was to be seen as sensitive to influence by personal characteristics

of the role occupant such as gender.

*Gender and the question of co-mediation and teamwork.* In general, we discovered that the issue of working with partners or co-mediators is one that women are more likely than men to bring up for discussion without any interviewer probing. In addition, male and female respondents provided very different answers to the following question: "If you could pick five people to function in a similar capacity as you—as a third party—and you had a roomful of people to select from, what would be your criteria for that selection?" Men tended to describe the set of skills they have and emphasized the value of replicating them, while women tended to answer the question by referring to the boundaries of their own skills and emphasized the value of extending their range.

Unlike research designed to examine differences that emerge within an inflexible experimental context, it is important to remember that in this study we were less interested in discovering whether women and men could act equivalently under a given set of conditions than we were in learning whether they would set up different conditions for conflict management, given the freedom to do so.

The answers to the question on "mediator selection" supported the notion that people who view a problem differently are likely to come up with distinctive solutions. For example, note the response of a female industrial and environmental conflict manager with contracts across the United States:

Well, number one, I'd pick the person in the room . . . that I thought was the most obnoxious, who was the most rigid, whose ideas were the most divergent from mine, who I knew I could never work with—that would be the first

person. Because they obviously have skills and approaches that I would tend to not see, and so if I could legitimate looking at their eyes as a problem solving stance, then we'd have a better base to work together as a team.

And, contrast this response with that of a male labor-management mediator with years of government experience, who referred to his own qualities of "having a good analytic mind," being able to "think fast on my feet," and having "patience," and "the right kind of temperament," when asked the same question.

Among our respondents, women were more likely than their male colleagues to envision the mediator role as collaborative, and to see working with a co-mediator as an opportunity to supplement or complete their own skills. Men tended rather to seek to reproduce their own skills and not to frame the problem as one of building a team. Although definitive conclusions should not be drawn from these findings, the implication that (given the situational freedom to do so) men and women would design, instigate and implement very different models is certainly worthy of future study.

*Gender and its influence on mediator neutrality.* Gender not only influences how third parties conceive of and value co-mediation or teamwork, it also influences how they think about their role in the mediation process itself, and their relationship to the disputing parties.

The majority of the mediators interviewed, both male and female, described their accession to their current professional role in a similar developmental frame: after an extended period working as an advocate (in the civil rights movement, or in union-management relations, for example)

they began to feel that the adversarial stance they were taking created obstacles to the change in social relationships they were hoping to achieve. By defusing the contention and shifting to a third party stance, men and women both reported feeling more in harmony with their values and working toward a just world.

In describing the third party role in the negotiation process, however, women more than men had reservations about defining themselves or the role as "neutral." A leading female divorce mediation theorist and practitioner emphasized balance as the key quality of the role, and spoke of the mediator as representing the interests of social justice:

I don't believe that the third party is neutral. That implies a *tabula rasa*—as though you were saying, "You guys work out a settlement and I'll just sit here and be a scribe!" I see the mediator as a balance which implies that you might go in one direction in one session or part of a session and back over there the next time, and moving back and forth. I tell the parties that I am not neutral, that I view neutrality as potentially a hazard for both of them. And I let them know if they are considering an agreement that falls beyond the broad spectrum of fairness.

Women offered metaphors such as "loving parent" or "a bridge" or "an active, transparent, living cell" to describe the quality of nonpartisan facilitation they hoped to achieve. Men, in contrast, often stated they felt comfortable defining their professional stance as neutral and objective. And, when asked to share an image that described for them their relationship to the disputing parties, men offered analogies such as "Sherlock Holmes figuring out what isn't there and needs to be included" and "a translator accurately capturing and reporting messages on

newsprint" to convey their view of essential features of the mediator role.

*Gender and its influence on the goals of mediation.* Both male and female conflict managers think of themselves as "instruments" of the process, their skills as tools that allow them to understand the parties' positions and, in turn, conceive solutions that could satisfy the disputants. But for the women, this goal of understanding the parties and their differences seemed somehow more central to their purposes. Males stressed the procedures to resolve or solve conflict in describing their activities, while women emphasized the process of coming to understand the parties. For the women, appreciation and acceptance of differences seemed to be an important end in itself, whether or not agreement was reached on particular issues. As one female respondent put it:

I enjoy the differences. . . I mean, I'm even falling in love a tiny bit with the armchair liberal. . . I still sort of laugh and sneer at them, but I'm even beginning to value that. And I guess that's my goal in life, to end up valuing all these different perspectives and learning things. . .

Some of the women who have mediated with men were conscious of a gender difference and spoke of this in relation to their own collaborative practice: they thought their male partners tended to develop a conception of a solution in their minds, and then push the parties toward it. Indeed, one of the male labor-management respondents reported that in many instances he viewed himself as a "vise" forcefully holding the parties together by a continual exertion of pressure until agreement was reached. Women felt that this was a style difference be-



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tween them and their male partners that could at times be effective. They thought the somewhat more direct power stance of the male partner could be useful. This was one of several complementary qualities women valued in the male counterpart, but it was clearly different from their own style.

What seem implicit in the role and process descriptions of female and male mediators are alternative stances toward difference and conflict. The impact of successful conflict resolution, according to the female respondents, was transformation and change rather than agreement. Resolution in their eyes meant living with evolving differences and commitment to a process of continuing renegotiation.

Both men and women emphasized the need for patience and their willingness to accept a large range of interaction and settlements that they might find personally unsatisfying, as long as the disputing parties accept them. Women respondents, however, were more likely than men to see themselves as "coequal" with the parties in the negotiation. Although recognizing the need to wield influence, women respondents nevertheless stressed explicitly that "we are all in this together, for a long time," and "with lots of these processes interacting, with a whole bunch of people pushing in different ways over time, we can have transformation." In addition, women respondents emphasized that participating in mediated conflict could change not only the disputing parties but the conflict managers themselves.

*Gender and its influence on role transitions.* Both male and female respondents expressed hope that the parties would "be able to resolve future conflicts themselves" as a result of participating in mediated

negotiations. As one male respondent put it, he hoped his clients would be "empowered by the experience of negotiating."

For the mediators themselves, however, working for years as a third party often led them to shift to a greater emphasis on the education and training of others in their own professional practice. After years of direct practice, these mediators—both men and women—had acquired a body of experience and insight that they needed and wanted to pass on to others. But even here gender made a difference. Men generally attributed this shift in emphasis from practice to teaching to the fact that they had tired of the mediator role, finding it limited and after a time uninteresting; women, on the other hand, more often thought of their shift to the educational role as the result of their own transformation through their experience in mediation practice.

### Conclusion

This study aimed to extend understanding of the role of mediator by identifying and describing approaches that are used by men and women alike and those that are gender linked. We contend that the cognitive, rational, and strategic model that currently dominates academic research on conflict resolution with its use of games as the central metaphor seems to narrow and restrict thinking about conflict resolution.

Sherry Turkle notes that "cultures take their central experiences and play with them through fantasy, ritual and art. When 'winning' is at the center of cultural life, a game takes on this role (1984, p.225)." By attending to women's concepts and experiences in addition to those of men, we hoped to develop new insights and new ways of construing

conflict and its resolution that could add power to research and practice in the future.

We interviewed twenty-four visible and highly successful professionals in mediation and conflict management. We found evidence supporting the contention that male and female mediators differ in the construction and interpretation of the mediation process. By and large, women respondents were more likely to see improvisational jazz or cooking together as appropriate metaphors for the rule-governed nature of mediation; men, on the other hand were more likely to choose such meta-

phors as a chess match or prisoners' dilemma game.

Thus, although they have similar skills, female and male mediators show subtle but systematic differences in their construction of the mediator role, the process of entry into conflict situations, the value of collaboration, the meaning of "neutrality," and the goals of mediation. While the sample is small and makes no claim to representativeness, this exploratory study has yielded meaningful and provocative findings that can be extended and refined by further research.

#### NOTES

An earlier version of this paper was presented at the 1984 National Conference on Peacemaking and Conflict Resolution, St. Louis, Missouri, September, 1984. This was a collaborative effort, and order of authorship was determined by lot. The authors wish to thank Margalit Tal for her careful reading and comments.

1. For more information on the sample, interview questions posed, and results obtained, please write directly to the first author at the following address: School of Social Work, University of Michigan, Ann Arbor, MI 48109-1285.

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