

**MEDIATOR PRESENCE:
How To Bring Peace Into The Room
By G. Daniel Bowling**

Introduction

In 2001, *Negotiation Journal* published “Bringing Peace into the Room: the Personal Qualities of the Mediator and their Impact on the Mediation.”¹ In that article, David Hoffman and I asserted that as mediators and conflict resolvers, it is essential to recognize that we are not separate and apart from the conflicts we seek to help resolve, rather we bring ourselves and our personal qualities into our work, along with the skills and theories regarding conflict resolution we use. As a result, we suggested that it is important that we mediators pay attention to the personal qualities we actually exhibit during our work, as well as to the development of appropriate and skillful qualities that will enable us to fulfill our professional and personal responsibilities. Later, Mr. Hoffman and I edited and published a book under a similar title with additional chapters from other leading mediators advancing this important conversation.² This article is a brief introduction to a book I am currently writing to address the fundamental question the *Bringing Peace* article and book left unanswered: How do we develop the necessary personal qualities to fulfill our professional responsibilities as mediators and conflict resolvers?

The supply/demand gap for conflict resolution services

When a mediator or conflict resolver walks into a room with clients or parties, she³ usually confronts conflict generating significant suffering. Clearly, there is much conflict-related suffering around the world, arising from, for example, unaddressed environmental destruction and global warming; an expanding and extreme gap between rich and poor; violent conflict all over the globe; political, racial, gender, and ethnic repression and strife; sharp political discord; and rising religious fundamentalism. In the US in some areas such as business mediation, the increase in conflicts has resulted in increased demand for mediators’ services. In many other areas, litigation, political processes, or violent confrontation continue to be preferred methods for addressing conflicts. As a result, there continue to be significantly more professionals offering, or wanting to offer, mediation and conflict resolution services than there are parties seeking those services. In my role helping to manage the largest US District Court ADR program, I frequently encounter individuals who seek my advice on how they can become mediators. It is discouraging for

me to discourage these well-motivated individuals from pursuing their dreams because of the over-supply of mediators already in the market.

A significant reason for this gap in demand, in my view, is our failure as a field to expand our teaching of conflict resolution skills and theory by including in our professional development a strong focus on developing the personal qualities necessary to assist others with conflict. Who we are when we walk into a room is actually more important than what we know or the skills we use, even though our knowledge and skills are certainly important. As long as we fail to pay sufficient attention to who we are in addition to what we know and what we do, we will continue to bring aspects of ourselves into the room that are unskillful, inappropriate, and often harmful. Our failure as a field to address this distinction depresses the market for our services by decreasing our ability to assist and serve those trapped in conflict.

How Do We Know What We Bring into the Room?

The ancient phrase – physician heal thyself – is fundamental to any conversation about bringing personal qualities into the room, along with our training, skills, experience, and knowledge. Because mediation is quite often a solitary art, with no one else in the room sharing our perspective, our self-awareness becomes even more important, both for our ability to be helpful and for our ability to manage and care for ourselves. Yet, we have, for the most part, not developed supportive systems for mediators through which they can reflect on their work, while maintaining appropriate client confidentiality.⁴

Reflective Practice is simply defined as taking time to reflect on what one does professionally – *e.g.*, a “pro-con” session after any work, looking back at a case after one has closed the file or at a mediation after a session – in order to distill any lessons learned and create a developmental path to integrate those lessons into one’s work.⁵ The etymology is instructive. *Reflect* is from the Latin *re*, back or again, plus *flectere*, *flex*, to bend. Thus, *reflect* has the same origin as *flexible*. When we are reflective, we bend back in order to see more clearly, and we are flexible in that seeing. Becoming a reflective practitioner allows one to explore what one brings into the room.

Schon in *The Reflective Practitioner: How Professionals Think in Action*, explores what it means to be a competent practitioner by asking “what is the kind of knowing in which competent practitioners engage?”⁶ Lang and Taylor, in their recent book *The Making of a Mediator: Developing Artistry in Practice*, write:

Reflection is the process by which professionals think about the experiences, events, and situations of practice and then attempt to make sense of them in light of the professionals' understanding of relevant theory. The objects of reflection are the unique, uncertain nature of a particular situation, the practice skills appropriate to the circumstance, and the constellation of theories that might help explain what is occurring.⁷

While I agree fully with Lang and Taylor as far as they go in describing reflective practice, in my experience, there are appropriate objects of reflection in addition to the particular circumstances of the conflict, practice skills, and conflict resolution theories. To paraphrase Schon, there are numerous "Ways of Knowing" or intelligences beyond the recognized intellectual or practical that are necessary for one to become a competent professional. While acknowledging that there are many of these "Ways of Knowing" or intelligences, in this article I will only examine two:

- Self-awareness or inner work, and
- Developmental awareness.

In addition, I will discuss how developing these intelligences, within the context of Reflective Practice, can start one on the road toward mastering the art of mediation.

Self-Awareness or Inner Work

Western culture, especially on the professional level, has been somewhat disdainful of inner work, clearly preferring and advancing the life of the outer-directed mind. Towards the end of the 20th century, however, interest has exploded in self-awareness and the exploration of one's inner world in order to cultivate self-awareness. There are many ancient spiritual traditions based on developing practices that focus one's consciousness on the inner world, in order to be more skillful in the external world. These practices exist in all major religions and, in general, distinguish the *esoteric* pursuit of religion from the *exoteric*. Especially in more mainstream, traditional expressions of major religions, exoteric practices – such as attending services, doing good works, charitable donations, adhering to an ethical or moral code of conduct, and proselytizing for converts – have come to be almost fully identified with approved religious practice. By contrast, esoteric practices – such as physical disciplines from the marital arts to yoga, dietary restrictions, meditation, silence, extended retreats, or withdrawal from worldly matters all together – have, certainly in the West, all but vanished from mainstream religious observance.

Support for either the esoteric or the exoteric approach by the dominate culture has a deep impact on a culture far beyond the arena of religious expression. This impact is strong, regardless of whether one practices a particular religion or ignores religion as a personal expression. One example is the impact of esoteric practices on the cultural view towards economic expansion found among people across the globe who engage in esoteric practices as contrasted with the economic view arising from the exoteric practices in the West. Another example is the reverence for the Earth and the fragile environment found among esoteric practitioners as opposed to the prevailing exoteric Western view that humans have dominion over the Earth.

The esoteric/exoteric distinction also impacts on the way a culture thinks and teaches. Exoteric practices primarily pull for thinking and teaching that places strong emphasis on the external world and mental intelligence, often to the exclusion of the inner world and other forms of intelligence. Success is viewed as only externally driven and measured by academic, financial or power-based achievement. By contrast, esoteric practices emphasize a range of intelligences to include mental, such as spiritual intelligence – awareness of one’s inner experiences and of one’s connections with the entire “web of life;” emotional intelligence – one’s feelings; and physical or kinesthetic intelligence – one’s bodily sensations.⁸

In the later decades of the 20th Century, esoteric practices began to gain greater acceptance in the West, in some situations actually rising to the level of academic acceptability. Certainly, the development of psychotherapy as an acceptable approach to self-development and healing and, in particular, the work of Milton Erickson and Carl Jung, all played a major role in this shift. Our field of dispute resolution is leading a similar shift in the more traditional exoteric worldview of the legal profession.

Developmental Awareness

The adoption of experiential learning modalities marked a major shift towards a more esoteric approach to teaching conflict resolution. Role plays have gained virtually complete acceptance in our pedagogy. Any true experiential learning process emphasizes an esoteric worldview, perhaps without awareness of this distinction. Our ability to develop successful experiential pedagogy depends on the expansion of our own esoteric worldview.

Study and traditional learning approaches can assist one to appreciate the importance of the inner world with its expanded access to additional

intelligences. There is, however, no substitute for practice. Teaching mediation through the use of role plays is a strong example. All of us know and accept that we cannot learn to play the piano or baseball from a book or through writing a paper. Most of us do not have sufficient hubris to attempt to describe the experience of learning piano or baseball unless we have had the direct experience. Not surprisingly, however, there appears to be more than enough hubris for many, especially in the academic world, to dismiss the validity of esoteric practices such as meditation, contemplative prayer, yoga, Chi Qong, and Tai Chi, regardless of a lack of direct experience.

Most of us have had experiences where “magic” happened. A mediation session produced a surprising result with deep satisfaction or healing for the parties. A complex dispute was resolved because we found ourselves trying an unusually creative approach for the first time, and it worked! We have also experienced explosions in our own professional development, followed by a plateau which may last a long time, where we may begin to feel stuck or stale. All of these experiences beg the question, “How do I reliably replicate experiences in which I see a direct correlation between my contribution and terrific result?”

To understand fully the nature of an esoteric worldview, to appreciate fully the impact of these practices, there is no substitute for experiential learning. Mastery simply cannot happen, without practice. We all have strong memories of individuals who brought a unique presence into our lives. Many of us experienced a special teacher who awakened within us a spark of desire to learn or who recognized a gift we had that we had not fully acknowledged for ourselves or who encouraged us in ways that no one else had done. Sometimes that person was a parent, a grandparent, a minister, rabbi, priest, mullah, or other spiritual leader. Regardless of the source of our experiencing that deep, life-altering connection, it is a fundamental aspect of the human experience. When it is missing, there is often a disconnection from community and sometimes lasting psychological damage. It is crucial for one to be known.

For many years, I wondered what it was about Mr. Yoakum, my high school math teacher, and Dr. Jones, my college history professor, that generated those special experiences for me. After many years of personal exploration and my own inner work, I have landed on the reason that makes sense to me. It is a single word – *presence*.

A certain person came to the Friend's door and knocked.
"Who's there?"

"It's me."

The Friend answered, "Go away. There's no place for raw meat at this table."

The individual went wandering for a year. Nothing but the fire of separation can change hypocrisy and ego. The person returned completely cooked, walked up and down in front of the Friend's house, gently knocked.

"Who is it?"

"You."

"Please come in, my Self, there's no place in this house for two."⁹

Presence

Examining the etymology of a word allows one to grasp its subtle meaning and open a developmental awareness of that meaning. *Present* is from the present participle of the Latin (*pre*) *praesens*, *praesent* – meaning “to be before: in the sense of to be before one at hand.” Thus, one could define *presence* as *being exactly where we are and fully with whoever is with us in this present moment*. *Presence* is possible only to the degree that we are not caught in the past or the future. It is not possible to be *present exactly where we are and with whoever is with us*, while thinking about the past or the future. Most of us face challenges with our ability to avoid thinking about the past or the future. *Presence* is thus an extremely challenging practice, which requires years of development on many levels. For example, as you read this paper, count how many times that your mind wanders off, making associations, thinking of something that you need to do, or recalling some past experience.

Presence Is Intentional

Most of us are lazy in using our intentionality – our will force. It is rare to operate during a day with a specific intention, as opposed to a goal or a list of things to accomplish. Even when we set an intention or goal or write out a “to do” list, we often find it difficult to remain focused. In truth, we have little, if any, control over our minds, which are at the effect of our unresolved past and our fears about the future. *Presence* arises as we learn to release the past and the future and find our way into the present moment of Now – the only reality we will ever know. *Presence* cannot arise with an uncontrolled mind.¹⁰

We see this ability to remain focused for long periods most easily in outstanding athletes or musicians. Someone who plays at the highest level of her sport or instrument has developed the ability to be completely focused, avoiding mistakes from loss of concentration. Such an individual is also guided

by a clear intention – to win a game or to play Rachmaninoff's *Piano Concerto No. 3 in D minor, op. 30*.

Developing *Presence* – Reflective Practice

To become an effective life-long Reflective Practitioner requires some degree of competency with an esoteric worldview as a Way of Knowing or intelligence. Developing *presence* requires competency with an esoteric worldview as well. Developing an esoteric intelligence requires direct experience of practices that lead one to understand and appreciate that worldview. I am not saying that one must become an expert in order to engage in or teach reflective practice. I am saying that competency in reflection requires an openness to one's inner world and the development of one's esoteric intelligence. Otherwise, one is simply reflecting on the external experience – what someone else did or did not do, which theory was used and which might work better, or what skill was missed or undeveloped.

There are many practices which allow one to begin to develop an esoteric intelligence and gain access to one's inner world. An inner approach to leaning many sports is becoming quite common. Certainly, various kinds of therapy are well-traveled paths. Many physical activities can be practiced with an esoteric or an exoteric worldview. Marital Arts and yoga all have as their roots a deep appreciation for the inner world. While they are often taught without that connection, one can find teachers who honor the traditional approach.

Meditation is one discipline that is fundamental to the esoteric worldview. It is a practice that I can personally endorse and recommend to any professional who wishes to expand her ability to engage in a reflective professional practice as a pathway to developing *presence*.

Mindfulness Meditation

For almost forty years, I have practiced various forms of meditation and yoga. I have studied both using many different pedagogical approaches. Meditation is an ancient art and practice, untold thousands of years old. The Psalmist (46:10) tells us: "Be still and know that I am God." Jelaluddin Rumi, the well-known 13th Century Sufi mystic and Persian poet (who now rivals Shakespeare for worldwide fame) wrote, "Only the unsayable, jeweled inner life matters." *Vipassana* or Insight or Mindfulness Meditation was originally delineated in one of the Buddha's early sermons, known as the *Satipatthana Sutta*, over 2,500 years ago. While its origins are ancient and the practice is nonsectarian, the distinctions the Buddha drew in his teachings are without

equal. Mindfulness Meditation is deceptively simple, yet requires a lifetime of practice. This *sutta* outlined four sets of practices – the first focusing on body awareness, the second on feelings in the body, the third on various states of the mind, and the last on the Buddha’s fundamental teachings or *dharmā*. The first practices are grounded in focusing one’s awareness on breathing in and breathing out. One does not practice Mindfulness Meditation only when sitting. The purpose of sitting meditation is to gain enough control over one’s mind so that it is possible to be mindful throughout the day. To listen, when we are listening. To walk, when we are walking. To live, when we are living. To mediate, when we are mediating. To *be* fully and actually present, when we are physically present.¹¹ In other words, Mindfulness Meditation is training in how to live a reflective life, and thus how to be a Reflective Practitioner.

Meditation has not remained a practice over so many centuries because it does not work. Few practice it, because it is profoundly challenging to confront how our “monkey” minds – so named by meditation teachers because our minds often leap from thought to thought in response to external stimuli – control us. What we call “thinking” is far too often simply the reactive meanderings of this “monkey” mind. Clear, non-reactive, thoughtful analysis is rare, but it does not have to be so.

Reflective practice based on “monkey mind thinking” deprives us of the most valuable benefits of reflection. As great masters of any art have discovered, it is our ability to master our own inner world that leads to external mastery. How many times must we see a Michael Jordan or a Roger Federer perform to learn this lesson?

Developmental Awareness

It is difficult for many of us to “be in development.” Our culture, especially our academic culture, pulls for knowledge and certainty about that knowledge. Our culture prefers experts, and we must present ourselves as having expertise. Reflective practice is impossible in such a space. When one already knows, on what can one reflect? Recall the etymology of *reflect*. In a world of certainty, one cannot be flexible. One cannot bend again. Our sight is limited, indeed defined, by what we believe and even more by what we believe that we already know.

Developmental awareness demands flexibility and the ability to see things with new eyes, hear things with new ears, and learn things with a fresh and new mind. Developmental awareness is synonymous with reflective practice. Consider how we ourselves developed as mediators or conflict

resolvers. For most of us, the process seems to involve three major “stages.” Although we describe these aspects of our development sequentially, for some mediators they may occur in a different order, overlap, or occur to some degree simultaneously.¹²

First, as beginning mediators, we studied technique. We learned, among other things, active listening, reframing, focusing on interests, prioritizing issues, and helping the parties generate options. We learned to demonstrate empathy as well as impartiality, how to diagnose settlement barriers, and how, with any luck, to bring a case to closure. We looked for opportunities to practice these skills. A period of apprenticeship ensued, involving, for some of us, co-mediation with more experienced colleagues, observation of other mediators, and opportunities for debriefing and peer supervision.

The second stage of our development involved working toward a deeper understanding of how and why mediation works. In seeking an intellectual grasp of the mediation process we hoped to find the tools with which to assess the effectiveness of various techniques, identify appropriate professional and ethical boundaries, and better understand what we were doing, why we were doing it, and the meaning of the process for our clients. These intellectual inquiries — encompassing both empirical and theoretical research and normative discussions of mediation practice — increased our effectiveness as mediators and enhanced the personal satisfaction we derived from this work.

The third stage of our growth as mediators is the focus of this article. I consider it to be the most challenging frontier of all professional and personal development. This third aspect begins with the mediator’s growing awareness of how her personal qualities – for better or worse – influence the mediation process. It is at this stage that we begin to focus on, and take responsibility for, our own development as mediators. It is about *being* a mediator, rather than simply *doing* certain prescribed steps dictated by a particular mediation school or theory. In this stage, reflective practice is fundamental. Mediator David Matz, in a paper entitled “The Hope of Mediation,” wrote: “In addition to what a mediator does, there is the matter of what a mediator is. Spirit emanates from being, just as articulately as it does from doing. More specifically, it is the mediator’s being, as experienced by the parties, that sends the message.”¹³ My conception of this third task is developmental – that is, it is based on the premise that gaining mastery is an ongoing process.

An example of the differences among these stages of development can be seen by looking at a particular feature of the mediation process – for

example, reframing. In skills training (first stage), mediators are taught how to restate and reframe the parties' accounts in a way that helps them feel heard and understood. Further reading and study (second stage) might demonstrate the reasons why reframing is an effective technique. At the level of development (third stage), the mediator develops the ability to reach a deeper level of personal connection with the parties, so that any reframing resonates with authenticity.

Being in Development through Authentic Communication

Theodore Zeldin, a former Dean at Oxford University in England, describes the importance of bringing a high level of intentionality into our conversation – the arena in which our profession lives:

“(t)alking does not necessarily change one’s own or other people’s feelings or ideas.... The twenty-first century needs...to develop not talk but conversation, which does change people. Real conversation catches fire. It involves more than sending and receiving information.... The kind of conversation I am interested in is one which you start with a willingness to emerge a slightly different person. It is always an experiment, whose results are never guaranteed. It involves risk. It’s an adventure in which we agree to cook the world together and make it taste less bitter.”¹⁴

The kind of conversation Dr. Zeldin is describing is not our normal, ordinary conversation; however, it is our natural conversation, when freed of the constrictions of the exoteric worldview, with its fundamental disconnection and separation. Dr. Zeldin is urging us to engage in an authentic communication, with a focused intention to integrate our views, which is the essence of mediation and conflict resolution. Authentic communication generates developmental power for all parties engaged in the conversation. Mere talk includes development only accidentally.

Talking to or at one another, rather than creating authentic, integrative, and developmental communication, is a fundamental source of our social and political malaise, youth violence, and loss of values – widespread suffering that sources many conflicts. We do not engage in meaningful conversations, which our conflict resolution field has a particular responsibility to facilitate. We are not as in demand as mediators as many of us would like to be. There are too many part-time mediators. Why? In part because the expertise we offer is not grounded in how we live and practice. Expertise that comes from the head, and

not from the heart, does not even work well in sports or music. Yet somehow we believe that it will work in a profession based on communication. We have not done the self-development or inner work required.

In my experience, authentic communication, which has the power to shift our approach to resolving conflict, has eight fundamental characteristics, which I will only briefly summarize here:

1. Belonging to the conversation

Normally, we hold conversation as an observer, critic, impatient for the other person to pause, so that we can get in our truth, our valuable and essential insight. Authentic, integrative communication — grounded in *presence* — communication that actually has the possibility of integrating different points of view into something entirely new, something different from, beyond either point of view requires us to *belong to that conversation*. Only when we learn to belong to a conversation does that conversation have the possibility of generating a healing presence.

The etymology of the word conversation is from the Latin *conversari*, to turn about with, derived from *con* or *com*, meaning together, among, or with plus *versi*, meaning to turn. Thus, conversation literally means the act of turning about together with and among others. Infusing our conversations with a focused intention to be turned about with another, such that we come at least to see and understand another's point of view and perhaps even allow ourselves to be turned about by those views is a conversation worth having and a life worth living. Such a conversation absolutely requires one to *be present* fully, to *be with* another.

Belonging to a conversation is the essence of *presence*, surrendering fully, allowing ourselves to be altered by what transpires in that conversation. *Belonging to a conversation* does not require us to give up our own point of view, nor does it mean holding on to our point of view. It does not mean adopting the other's view, or resisting the other's view. This concept requires a deep surrender to the process of an authentic, integrative communication through being willing to engage with another so as to *be turned about with* the other in conversation. In this way, we communicate, rather than talk, from the space of *presence*.

2. Acknowledging our common humanity and accepting all of who we are

As an expert, we lose our common humanity. As one willing to serve by

offering her expertise, we regain our common humanity. The shift may appear subtle, but it is profound. We are no longer the one with the answer, which means we are not required to have answers. Having opened to our own inner world, we discover our connection to all others through our direct experience in that esoteric world. If, instead, we remain grounded in an exoteric, outer-directed worldview, it is quite easy to lose ourselves in separation.

3. Give up certainty and explore the unknown with curiosity

Most of us try very hard to know a great deal about many things, to pretend that we know even when we are not certain, or to learn something very quickly before others discover that we do not know it. Knowing is a highly valued quality in every profession. That quality has leaked into conflict resolution work.

For a mediator to “know” is useless. Knowing takes away the power of our listening, the wonder of our inquiry, and the openness of our neutrality. Knowing is most often an effort to control. Yet, the truth is that we have no control over any sphere of life. Our minds are untrained and at the whim of reactive, emotionally-driven communication. As a result, we understand little about the deep mysteries of Life – especially relationships and communication during conflict. We are leaves floating on a turbulent river. **Pretense** is the very opposite of *presence* – the mask we hide behind in order not to *be present* and take the risk of *being turned about with* another.

In authentic communication, to which we fully belong, we are willing to give up our knowing, to give up certainty, and be open to the unfolding process of the conversation. We start from ground zero together. We willingly drop all preconceived notions about who we are and who our partners are. Instead, we step into the firm ground of our mutual humanness, our shared storehouse of weaknesses and strengths, of failures and triumphs, of phoniness and realness – all of who we are. We are then safe to drop our pretense, our phoniness, our personality, and our "act" and begin to practice authenticity.

As mediators, we cannot teach or push someone to move into this space of open uncertainty. We can, however, learn to model the behavior by being in that space. This openness is the beginning of true relationship. The bottom line is that for most of us, we would rather be right than in relationship. We definitely do not want to be working on a challenge such as this one, within our own selves, our own family, friends, and co-workers, or our own organizations. We would rather complain and be victims. Developing our capacity not to

know allows us to develop the openness essential to mastering *presence* and mediation.

“The Master doesn’t try to be powerful;
Thus she is truly powerful.
The ordinary person keeps reaching for power;
Thus she never has enough.

The Master does nothing,
Yet she leaves nothing undone.
The ordinary man is always doing things,
Yet many more are left to be done.

Therefore the Master concerns herself
With the depths and not the surface,
With the fruit and not the flower.
She has no will of her own.
She dwells in reality,
And lets all illusions go.”¹

4. *Being With Another, Listening Deeply Enough to Hear Underlying, Fundamental Issues is the Space of Healing*

Being neutral and whatever “objective” is, does not mean that as conflict resolvers we are separate from the conflict system, we are seeking to help resolve. If, as systems theory teaches, the whole determines the behavior of the parts, then we are inextricably involved in the conflict system. Are we thinking that way about mediation? Healing happens when we are a part of, rather than separate from. Do we block healing by seeking to analyze and understand what happens to each party, separate from the other and by striving to keep ourselves separate from the parties?

Deep, empathic listening is based on the intention “*to be before: in the sense of to be before one at hand*” – right in front of us. It requires us to drop any concept of separateness from another. Deep, empathic listening is not about techniques, such as active listening, repeating or mirroring what one has heard. The problem is that they are techniques, not *presence*. *Presence* arises from being profoundly non-judgmental, rather than being wiser than another. It arises from being comfortable with the unknown and uncertainty and from being fully willing to be turned about with the conversation. Deep listening is the

¹ Mitchell, Stephen, translator. *Tao Te Ching*. San Francisco: HarperCollins, 1988.

space of healing.

5. ***Being* in Development – All We Can Do Is Observe & Follow the Process**

Presence is not a place to arrive. Developing an integrative worldview, the foundation of *presence*, is a process of transcending and including the many shifts and changes as life unfolds around us. *Presence* as a mediator is the ability to sit in the fire of any conflict, which is not a skill. It is a life. A mediator who has learned to be *present* can generate a space in which healing is possible.

One of the greatest false notions that our culture and particularly our educational system have foisted upon us is the idea that what we know and what we do with what we know define who we are. There is little emphasis, if any, placed on how or who we *be*. This distinction between doing, knowing and *being* is fundamental to developing *presence*, and to mastering mediation. Thus, the willingness to be in development, over time, is central to developing the personal qualities that lead to *presence*.

Being in development allows room for the mystery and uncertain impact of chaos theory, which teaches that:

“...a very slight twitch in a connective system will create convulsions elsewhere.... Biologist Francisco Varela has said that you cannot direct a living system, you can only disturb it. In a system, the most we can do, when we are trying to serve, is to contribute a little twitch, be a little disturbance.... You cannot tell another human being or a human organization what to do and expect it to do it. Yet this is not a lesson we have learned. It has been in our faces all our lives....”²

Developmental Theme – A Reliable Steering Mechanism

Development is thematic, not circumstantial. To allow development to occur in our lives with authenticity and intention, we must learn to see our lives thematically, rather than circumstantially. Mostly, we react to and are driven by the circumstances that arise around us. Life sends us an event or our choices create an event, and we respond to that event. These circumstances are almost always the source of suffering, if not initially then eventually. This suffering is the nature of Life. It is not indicative of something wrong. Everywhere we look, Life is filled with change, and within change lies the seeds of eventual and

² Wheatley, Margaret. “Learning From Nature’s Emergent Creativity,” *Noetic Sciences Review*, Spring 1996 at 23.

certain suffering. Focusing on the circumstances is a trap, a trap with room only for accidental development.

As we develop self-awareness, we can see the downside of that approach – being pushed around by life. Learning to steer by a theme, by that which is more fundamental, leads to more freedom and consequently more self-awareness. Themes dwell on a different level within our being, within our experiences. We learned, perhaps reluctantly, to look for themes in the novels and poems we read in school. We learned to listen for themes if we studied music. If we have followed sports, we know that momentum at the right time in a contest is most often determinative of the winner. Themes resonate with the connected, integrated aspects of Life. They are the connective tissue that integrates our experience, informs our knowing, and illuminates our being.

For example, we could develop our skills as a mediator simply by taking on any case that comes to us. Early in our careers that may be our only choice. At some point, however, we see that our abilities serve better in a particular area of the field. Perhaps we learn that we have a natural gift for working with just a few people or with large groups. Perhaps we discover that we get a great response as a teacher. We then begin to use that “theme” to build our professional lives.

An even more subtle and powerful refinement is when we observe, using reflective practice, that we often attempt to exercise too much control in our work or speak in a particular way that pushes others away, causing us to lose effectiveness. Based on such self-awareness, we can create a more specific and challenging developmental theme focusing on developing deeper awareness of these heretofore unconscious and self-defeating habits. We become more aware, more mindful. We forget. Life gives us a strong reminder. We develop more mindfulness in that area. We are living our life in development. We learn to open to the subtle rhythms and lessons of life. Because we are striving for excellence in our field, we open to feedback, to learning from others, to recognizing that in this particular area, in fact, we do not know.

For example, at a certain level, Tiger Woods steered his life by choosing to be a great golfer. Unlike most of us, he made that life-defining choice at an early age and stuck with it. Now he steers his professional development, not just by his decision to be a golfer and not just by his decision to top all of Jack Nicklaus’ records, rather he steers his professional development by refining his back spin on his wedge shots or various aspects of his follow-through with each club or subtleties that we would not even notice.

The power of a theme in this subtle arena of professional development is in the laser-like focus it provides. The more distinct our theme, the sharper our focus, the more challenging our development. Just as the decision to become a teacher provides a certain degree of focus, recognizing that we have an unconscious arrogance that pushes students away, and learning to focus on a theme around our arrogance in order to develop more connection with our students can provide tremendous focus. We can steer our lives by whatever happens to us circumstantially. We can steer our lives by a broad theme, such as being a mediator or a teacher or a parent. We can also steer our lives by a very focused developmental theme that adds rigor and power to our development.

To bring healing into our work as conflict resolvers, we must learn to guide our work thematically, rather than circumstantially. To make this shift requires consistent practice in our daily lives. Developing *presence* is a worthy theme by which to guide one's life.

Mastery

A woman once went to see Mahatma Gandhi and told him that her son was having a great deal of physical problems because he was addicted to eating sugar. She was greatly concerned with his health and asked Gandhi to tell her son to stop eating sugar. She said that she had asked him many, many times without success and said that her son had stopped listening to her. Gandhi replied, "OK, I will tell your son to stop eating sugar, but please come back in three days." As instructed, the woman returned in three days. Gandhi sat with her son for a long time and talked with him gently but clearly about the dangers to him of eating sugar, the love that his mother had for him, and finally asked the boy to stop. The boy promised Gandhi that he would. As they were leaving, the woman turned to Gandhi and said, "Sir, why did you ask us to return in three days? Why didn't you have this conversation with my son when we were here before?" Gandhi replied, "Because I had to stop eating sugar."

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¹ 16 *Negotiation Journal*, Number 1 at 5 (January 2000) .

² Bowling D. and Hoffman D. editors, *Bringing Peace into the Room: How the Personal Qualities of the Mediator Impact the Process of Conflict Resolution*. San Francisco, CA: Jossey-Bass, 2003.

³ I believe there are a surfeit or books and articles written using the male pronouns to cover both genders, so I prefer to bring some balance by using female pronouns to cover both genders.

⁴ One exception is my work with my colleagues Howard Herman and Robin Siefkin in the ADR Program at the US District Court for Northern California in San Francisco, where we currently offer seven Advanced

Mediator Practice Groups each month to support the mediators on our Court Panel with time for reflective practice. See, Herman, H. and Twomey, J., "Training Outside the Classroom: Peer Consultation Groups." *Dispute Resolution Magazine*, Fall 2005 at 15.

⁵ Bowling, D. "Who Am I as a Mediator? Mindfulness, Reflection and Presence." *ACResolution*, Fall 2005 at 12.

⁶ Schon, D. A. *The Reflective Practitioner: How Professionals Think in Action*. New York: Basic Books, 1983.

⁷ Lang, M. and Taylor, A., *The Making of a Mediator: Developing Artistry in Practice*. San Francisco: Jossey-Bass, 2000.

⁸ Gardner, H. *Frames of Mind: The Theory of Multiple Intelligences*. New York: Basic Books, 1983; Goleman, D. *Emotional Intelligence*. New York: Bantam Books, 1995; Goleman, D. and C. Cherniss, *The Emotionally Intelligent Workplace: How to Select For, Measure, and Improve Emotional Intelligence in Individuals, Groups, and Organizations*. San Francisco: Jossey-Bass, 2001; Goleman, D. *Working with Emotional Intelligence*. New York: Bantam Books, 1998; Hersh, P. "Heart to Heart: The Physical Correlation of Verbal Communication," *Human Potential*, March/April, 1986, 16-22; Salovey P. and Mayer, J. "Emotional Intelligence," *Imagination, Cognition and Personality* 9 (185-211) 1990; and Wolman, R. *Thinking with Your Soul: Spiritual Intelligence and Why it Matters*. New York: Random House, 2001.

⁹ Barks, Coleman, translator, *The Essential Rumi*. San Francisco: Harper, 1995.

¹⁰ Tolle, E. *The Power of Now*. Novato, CA: New World Library, 1997.

¹¹ Hanh, T.N. *The Miracle of Mindfulness: A Manual on Meditation*. Boston, MA: Beacon Press, 1975.

¹² D. Bowling and D. Hoffman, "Bringing Peace into the Room: The Personal Qualities of the Mediator and Their Impact on the Mediation," *Negotiation Journal* 5 (2000). I also acknowledge Dr. Ken Anbender for his contribution to these ideas concerning stages of development.

¹³ Matz, D. "The Hope of Mediation." Unpublished paper, 1999.

¹⁴ Zeldin, Theodore, *Conversation: How Talk can Change our Lives*. New Jersey: Hiddenspring, 2000.