



THE PSYCHODYNAMICS OF MEDIATION: Overcoming Ego to Resolve Conflict

By Jonathan E. Fields

A provocative new law journal article deconstructs the psychodynamics of the mediation / negotiation process. Professional mediators certainly understand, if only instinctively, the primacy of ego, self-esteem, and self-identity in any mediation; but the piece articulates a framework and diagnostic that even experienced mediators may find useful.

Essentially, the author, Elizabeth Bader, posits that there are three stages to a typical mediation or negotiation – Inflation, Deflation and, if the matter settles, Realistic Resolution. In Bader’s shorthand, this is the “IDR Cycle.”

In Stage-1, the Inflation stage, the participant is overconfident in their position, full of hopes that are wrapped up in their sense of self-worth. This is personal: the outcome of the mediation is “a reflection of who they are.”

Stage-2, the Deflation stage, begins when the participant learns of the opponent’s initial position. “Reality hits home,” as Bader puts it. The preferred outcome may not be as achievable as they believed. Often, parties in Stage-2 are personally offended by the position of the other.

These Stage-2 “deflationary

dynamics” can often lead to impasse because, in Bader’s rendering, the “narcissistic crisis created when the parties’ overconfident expectations and investments collide.”

Here, at Stage-2, Bader advises the mediator to depersonalize the impasse and to help the parties generate objectively useful options – even though those options may not mirror exactly what the parties intended.

This leads to the final stage, hopefully: settlement or, as Bader puts it, “Realistic Resolution.” In order to settle the matter, she writes, the parties “may have to release their psychological investments in the outcome.”

Mediators, too, must confront their own issues of ego and self-identity during the process – for example, self-doubt about their effectiveness as a mediator, particularly during impasse. In Bader’s words, mediators may have to release their own “sense of narcissistic self-investment in the outcome.”

Bader understands, of course, that the “IDR Cycle” will not manifest precisely in every mediation. It is, however, a compelling archetype. And I believe that mediators attuned to the psychodynamic framework



she describes will better serve both the process and the clients.

Interested readers are directed to the source: Elizabeth Bader, *The Psychology of Mediation: Issues of Self and Identity and the IDR Cycle*, 10 PEPP. DISP. RESOL. L. J. 183 (2010). It is also on the Pepperdine Law website at

<http://law.pepperdine.edu/dispute-resolution-law-journal/issues/volumeten/Bader%20Article.pdf>



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MEDIATOR DEFINED: A Brief Reminder

Editor's Note: Massachusetts General Laws, Chapter 233, Section 23C, (excerpted below) is highlighted for clarity.

For the purposes of this section a **“mediator”** shall mean a person not a party to a dispute who **enters into a written agreement** with the parties to assist them in resolving their disputes **AND has completed at least thirty hours of training in mediation AND who EITHER has four years of professional experience as a mediator OR is accountable to a dispute resolution organization which has been in existence for at least three years OR one who has been appointed to mediate by a judicial or governmental body.**