

# Update

February 2010

## The Mediator as a Cultural Translator

### *Reflections on the one day training with Nina Meierding*

By David Gorney

Reflecting back on the abundance of invaluable information and experience we were exposed to at Nina Meierding's workshop on Cultural and Gender Issues in Negotiation and Mediation, there were two concepts, among the numerous "Aha!" moments scattered through the day, that stood out for me; "Theories of Fairness," and "High and Low Context Communications." As a junior conciliator and mediator-in-training at the Bellevue Neighborhood Mediation Program, I took Nina's suggestion to heart that if we do not incorporate new information we learn into practice, we lose it.

From a 30,000 foot view, "Theories of Fairness" covers the range of perspectives people have around how we determine what is "fair" or not in any given situation. In other words, what frameworks or reference point do we use? For example, we may consciously or unconsciously choose to use Legal Theory (*code, laws, statutes, objective criteria, etc*), Equity Theory (*amount of effort, energy, time and/or money contributed*), Culturally-based Theory (*needs based*), or Faith-based Theory (*religious based writings and teachings*). Recognizing that I use different Theories of Fairness at different times prompted me to wonder when I am conciliating how often are each of the parties using the same reference? And, if not, how I might reframe or reflect to each of them so they might better understand the reference of the other party.

The second concept, "High and Low Context Communications," was especially meaningful to me as it was a source of personal frustration through my teenage years and into adulthood. How many of you reading this can remember thinking or hearing someone, possibly a partner, ask: "If that's what you wanted all this time why didn't you just say so?" Followed by: "I have been. You

just haven't been listening!" While it is often humorous to observe or hear about these types of interactions, it is rarely so for either participant. To make things even more interesting, these differences in the role of context in communication are not limited to individuals but are found across cultures around the world. Understanding there is a spectrum across which people fall in terms of High Context (*implicit understanding and indirect speech, intuit from situation and relationship, emphasis on oral traditions*) and Low Context (*to-the-point communication, direct speech, values writing, specific direction*) and recognizing our own style as well as those we are communicating with, provides us an opportunity to improve our interpersonal communications. By developing this awareness for ourselves and others we naturally bring all parties closer to the middle of the spectrum and

thus, closer to better understanding each other's perspective and communicating ours. As I continue in my mediation training and personal growth, I remain impressed by the correlation I have found in learning to be a better conciliator/mediator and its impact in helping me become a better person... and vice-versa. I hope you do too! ≈



By Henry Smilowicz

Nina Meierding's presentation on "Cultural and Gender Issues in Negotiation and Mediation" was perhaps the best day-long session of any sort I've ever attended. It was weighted more to cultural than gender issues, although the discourse often encompassed both, and beyond. We covered personal attitudes, preferences, and styles, both in ordinary life, and in dispute resolution. It was fascinating and I had many "takeaways." One in particular has rather haunted me from my naiveté

on the point before this session. It was about apologies.

We've all encountered attempts at apologies, as mediators and as lay people. Some are sincere, compelling, and satisfying to all. But that's rarely the case. Many "apologies" are done out of a sense of duty but clearly lack sincerity. "I'm sorry if you were hurt because I..." when it's clear that there was hurt, is often perceived as a way to pass blame to the other party for feeling the way they do. But most often in mediation there is no apology at all even when party wishes for one, and says so. This is a big hurdle in all forms of dispute resolution. Nina's explanation, mainly gender-based, provided enlightenment on why this happens and how we as mediators can better pave the way for meaningful apologies. Men vs. women, Venus vs. Mars, lies at the heart of many failed apologies. Each looks at apologies from different perspectives and with different needs. Men think they owe an apology only when they are "wrong"— and in mediation they are never wrong. Women in conflicts, however, experience this very differently.

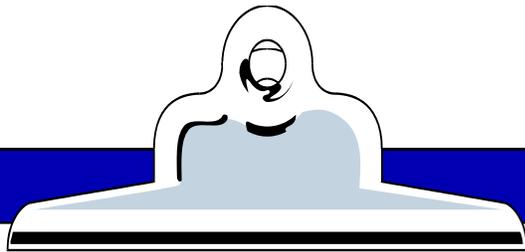
They aren't operating mainly in the analytical left-brain where "right and wrong" exist, but rather in the right-brain of feelings, including sorrow, and compassion. When they wish for an apology, they don't need to hear "You were right and I was wrong," as men fear. But they do wish for an expression of empathy, "I'm really sorry that this situation has caused so much trouble for you and your family." Note that the man doesn't necessarily have to be wrong, but to sympathize that the woman feels pain from the events. This can go a long way to the emotional breakthroughs we look for in resolving disputes. We can coach parties on how an apology can be presented so that it satisfies one without leaving the other feeling unfairly compromised. Crafting apologies can be an art! I appreciated how well Nina explained this important aspect of gender-based conflict. In my case, I'll be thinking about it often away from the mediation table, and should gain better insights into my own conflicts past, present, and future. ≈

*By Silvia Wilson*

I thought this workshop was very valuable. It was most insightful to me to learn about monochronic and polychronic types as I realized that this can be a source of stress and miscommunication between people, both in personal and professional relationships. It was also very helpful to have people share their insights and experiences with a variety of different cultures and attitudes. I look forward to more workshops like this, It would be very helpful to have some practice sessions with learning to work with the variety of cultures. Thanks again for having Nina facilitate this great workshop for us. ≈

## *Photos from the 2010 Volunteer Recognition Party*





## Parent—Teen Update

By  
Cathy Goldman

I am starting the recruitment process for the June Parent-Teen Training. I will be recruiting at the high schools in Bellevue. I am looking for present 9<sup>th</sup> grade students to join our pool of volunteers. I am also looking for adults interested in working with parent-teen issues. Please let me know if you know anyone interested in becoming a mediator for our program. The training will take place June 21<sup>st</sup> through June 25<sup>th</sup>.



Our next in-service training will take place at Bellevue City Hall on March 17<sup>th</sup> from 6 to 8 pm. Gwen Jones, one of our mediators and program assistant, will present on "Mediation and Meditation: How They Relate." We know they sound alike and people confuse the spelling, but come find out how important the practice of meditation can be to our daily lives and to our mediation practice! You are guaranteed to leave with some very useful life skills!

I hope to see you all in March.

## **BNMP Training Opportunities For Mediators and Conciliators**

### *Neighborhood In-Service Trainings:*

**Coming Soon!**

**Everything You Wanted to Know  
About CC&Rs But Were Afraid to Ask,**  
with Terry Leahy

Wed. Feb. 24th, from 6:30-8 PM in room 1E-112

**Follow up to the Nina Meierding Workshop,  
with a Negotiation Exercise**

with Cheryl Cohen and Andrew Kidde

Tues. Mar. 23rd, from 6:30-8 PM in room 1E-112

### *Parent-Teen In-Service Training:*

**Mediation and Meditation: How They Relate**  
with Gwen Jones and Cathy Goldman

Wed. Mar. 17th, from 6-8 PM in room 1E-120

### *Mediation Training:*

#### **Basic Mediation Training Spring 2010**

Wed. **April 14** 5:00 pm — 9:00 pm

Fri. **April 16** 9:00 am — 5:00 pm

Sat. **April 17** 9:00 am — 5:00 pm

Wed. **April 21** 5:00 pm — 9:00 pm

Fri. **April 23** 9:00 am — 5:00 pm

Sat. **April 24** 9:00 am — 5:00 pm

Cost: \$250

#### **Parent-Teen Mediation Training 2010**

Mon. **June 21st** through Fri. **June 25th**

8:30 am — 5:00 pm each day

#### **Program Staff:**

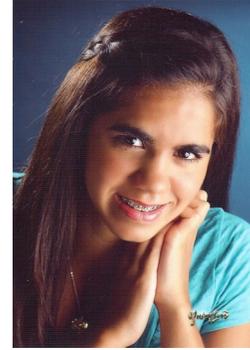
Program Co-Manager:	Cheryl Cohen	-	452-5222
Program Co-Manager:	Andrew Kidde	-	452-5288
Program Assistant	Gwen Jones	-	452-2897
Parent-Teen Coordinator:	Cathy Goldman	-	452-4091

City of Bellevue website: <http://www.bellevuewa.gov>  
(Look for the Mediation Program under "Neighborhood Information")

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*Volunteer Profile:*

**Erin MacLean**



My name is Erin MacLean and I am a senior at the International School in Bellevue. Apart from the time I spend at school, I swim competitively for the Bellevue Club Swim Team. I was trained for the Bellevue Parent/Teen Mediation Program in the summer of 2006 and have been co-mediating for the past few years. Mediation has been such a valuable learning opportunity for me, opening my eyes to so many different viewpoints and opinions. The families I met and the cases I encountered made this program a truly life-changing experience for me. This program instills so many valuable qualities in its mediators such as open-mindedness and understanding. I love the feeling I get when a family begins to see eye-to-eye and learns to really listen to each other's needs due to the mediators' involvement. This program taught me life skills that I will always be grateful for and will use for the rest of my life.

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**BELLEVUE  
NEIGHBORHOOD MEDIATION PROGRAM**

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