

Conflict analysis - the role of the mediator



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Conflict Analysis- The Role of the Mediator A mediation plan is like a game that the mediator designs for other parties involved in the conflict, asserts Young (1991, p. 73). The role of the mediator is to settle down the dispute between two parties by bringing them at a communicative level with one another (Cahn & Abigail, 2007) so that they can do negotiations and come up with a solution that is acceptable to all the parties involved. Moore (1996, p. 15) defines the mediation as an “ intervention in a standard negotiation or conflict of an acceptable third party who has limited or no authoritative decision-making power but who assists the involved parties in voluntarily reaching a mutually acceptable settlement of issues in dispute.” To bring out the best of the conflict resolution process, the mediator has to use certain data to be utilized in the mediation plan and play three general mediator roles, as described by Moore (1996): Social network mediators have previous social relations with one or all of the parties involved. Although they are expected to be biased, yet they are usually fair and want to keep in touch with the parties even after resolution. Authoritative mediators are those who are in position to enforce agreements. They can be managers, supervisors or other officials. Independent mediators are mostly preferred because they are neutral since they do not have relations with the parties nor they are in authority. However, whatever the kind, all mediators use either general tactics or contingent tactics for conflict analysis and resolution. General tactics are used to collect general data about the conflict by getting into the conflict, analyzing it, listening to the parties’ perspectives, designing mediation plan, understanding interests, motivating parties to communicate, and drafting agreements. Here, data regarding the causes of the conflict and possible solutions is collected. Mediators use contingent tactics to confront

problems that arise during the course of the mediation. These problems may include communication gaps, influence imbalances, incorrect information, absence of parties, and so on. Murray (2010, p. 74) states that the mediators need whatever information is important regarding the conflict and the role of the mediators is to effectively utilize that information so that the parties are convinced towards a desirable solution. The mediator uses this information and starts the mediation process by an opening statement which introduces himself, the parties involved, and the conflict. Then he discusses his impartiality and neutrality; convinces the parties to confide in him; and tells them behavior guidelines that must be followed. After that, the mediation plan is explained along with possible solutions (Wilmot & Hocker, 2007). In short, the mediator uses data regarding the conflict, the parties involved, their perspectives, and acceptable solutions. He needs data regarding the background history of all parties involved along with information about what internal and external factors caused them enter the conflict. After gathering this information through communication channels, the mediator then lays out the mediation plan and engages the parties in the process to work out best possible solutions in a shared environment. References Cahn, D., & Abigail, R. (2007). *Managing Conflict Through Communication*. (3rd ed.). Boston: Allyn and Bacon. Moore, C. (1996). *The Mediation Process: Practical Strategies for Resolving Conflict*, 2nd ed. San Francisco: Jossey-Bass Publishers. Murray, O. R. (2010). *The Mediation Handbook: Effective Strategies for Litigators*. USA: Bradford Publishing Company. Wilmot, W., & Hocker, J. (2007). *Interpersonal Conflict*. (7th ed.). New York: McGraw-Hill. Young, H. P. (1991). *Incentives in bargaining and mediation*. *Negotiation Analysis*. USA: University of Michigan Press.