Putting the Peaces Together: A Situated Model of Mediation

Peter T. Coleman

International Center for Cooperation and Conflict Resolution, Teachers College, Columbia University, New York,

NY, USA

Katharina G. Kugler

Department of Psychology, Ludwig-Maximilians-Universitaet Muenchen, Munich, Germany

Kyong Mazzaro

The Earth Institute, Columbia University, New York, NY, USA

Christianna Gozzi

The Earth Institute, Columbia University, New York, NY, USA

Nora El Zokm

International Center for Cooperation and Conflict Resolution, Teachers College, Columbia University, New York,

NY, USA

Ken Kressel

Department of Psychology, Rutgers University, Newark, NJ, USA

Abstract

Purpose: Research on conflict mediation presents a scattered, piecemeal understanding of what determines mediators' strategies and tactics and ultimately what constitutes successful mediation. This paper presents research on developing a unifying framework – the situated model of mediation – that identifies and integrates the most basic dimensions of mediation situations. These dimensions combine to determine differences in mediator's strategies that in turn influence mediation processes and outcomes.

Design/methodology/approach: Our approach was twofold. First, we reviewed the existing empirical literature on factors that influence mediator's behaviors. Based on the findings of this review we conducted a survey study with experienced mediators to determine the most fundamental dimensions of mediation situations affecting mediators' behaviors and mediation processes and outcomes. The data was analyzed through exploratory factor analysis and regression analysis.

Findings: The results of the study show that four of the most fundamental dimensions of mediation situations include: low vs. high intensity of the conflict, cooperative vs. competitive relationship between the parties, tight vs. flexible context, and overt vs. covert processes and issues. Each of these factors were found to independently predict differences in mediators' behaviors and perceptions of processes and outcomes. These dimensions are then combined to constitute the basic dimensions of the situated model of mediation.

Originality/value: The situated model of mediation is both heuristic and generative, and shows how a minimal number of factors are sufficient to capture the complexity of conflict mediation in a wide range of contexts.

PUTTING THE PEACES TOGETHER: A SITUATED MODEL OF MEDIATION

Although academic research on mediation has progressed considerably over the last few decades (for reviews see Duursma, 2014; Kressel, 2014; Moore, 2003; Vukovic, 2014; Wall and Dunne, 2012), it still faces considerable challenges to its practical relevance. Today, the findings from research on mediation present a fractured, piecemeal understanding of what constitutes "effective mediation" and how to achieve it (cf. Diehl and Druckman, 2010; Wall and Dunne, 2012; see Elangovan, 1995; Sheppard, 1984 for exceptions). Research is typically either micro (e.g., mediator style) and decontextualized from the broader system of conflict management, or macro (e.g., case comparisons) and disconnected from mediator decisions and action. In addition, the eclectic nature of the field of mediation is reflected in the rich but disjointed array of scholarship from the disparate disciplines of law, international relations, political science, mathematics, psychology, and organizational science, to name a few. As a consequence, many models of mediation practice are removed from sound theory or evidence-based research (Coleman, 2011). Knowledge generated within academia oftentimes does not reach practitioners and valuable field experiences and practices rarely inform academic research – impeding mutual learning and development (Honeyman et al., 2009; United Nations, 2012, 2011a, 2011b).

Among the most glaring gaps in mediation research are investigations into the main antecedences of different mediation strategies, which ultimately influence the course of the mediation. In their review of mediation scholarship, Wall and Dunne (2012) write:

> The literature from the past decade – as that from the preceding years – indicates that mediators have approximately one hundred techniques to choose from…While this bountiful array of often overlapping and sometimes very similar strategies allows for a thorough description of the available mediation approaches, it can paradoxically retard the advancement of our knowledge. Faced with such a complex set of categories, scholars have not been able to grapple with the two fundamental questions for mediation: (1) What are the major causes/antecedents of mediators strategies? That is, what causes

mediators to use the strategies they do? (2) And what are the major impacts of the mediators' use of particular strategies? (p. 227)

In order to address these questions we set out to empirically identify and model the most fundamental dimensions of mediation situations. This investigation was based on the assumption that every mediation situation can be characterized along a few basic dimensions, and that differences on these dimensions will be crucial in determining the mediator's strategy as well as the process and outcomes of the mediation. This approach to the study of mediation reflects a trend in social-science research to "situate" individual experiences, decisions and behaviors within salient dimensions of the context in which they occur (see Coleman et al., 2010, 2012, 2013; Deutsch, 1982, 1983; Jost and Kruglanski, 2002; McGuire and McGuire, 1988; Wish, Deutsch and Kaplan, 1976). To identify the basic dimensions, we surveyed the empirical literature on mediation that addressed factors thought to determine its course, and then employed them systematically in an empirical survey study with experienced mediators in order to narrow them down through factor analysis to their most fundamental dimensions. Based on these findings, we then constructed a four-dimensional situated model of mediation.

This paper is divided into four sections. First, we summarize the findings of our survey of the published empirical literature on mediation, which focused on identifying factors that drive different mediation behaviors, processes and outcomes. Second, we present the findings of a study informed by this review that we conducted with 149 experienced mediators to investigate empirically the most important factors in mediation that determine differences in their behaviors, processes and outcomes. We then build on these findings to present a situated model of mediation, which locates differences in mediation dynamics within the context of a basic "stimulus field" composed of four fundamental dimensions of conflict mediation. These dimensions combine to create qualitatively different types of mediation situations, where each

type affords a distinct mediator orientation and strategy. The situated model emphasizes the

importance of the mediator meta-competency of *adaptivity*; the capacity to read relevant changes

in situations and employ strategies that fit with specific situation-types, for achieving

constructive, sustainable outcomes

The approach to model building taken in this study is integrative and iterative. It

combines top-down theoretical and empirical insights from published scholarship on mediation

with bottom-up empirical validation and refinement through a study with experienced mediators.

The resulting model is both heuristic and generative; suggesting new pathways for research and

practice. The ultimate objective of this research is to bring increased conceptual coherence and

parsimony to the theoretical understanding, empirical study and practice of mediation.

Research Survey on the Drivers of Mediation Processes and Outcomes

Procedure

In order to identify the basic dimensions of mediation situations, we first reviewed the

literature. The goal of the review was to generate a comprehensive list of factors which were

found to be related empirically to differences in the course of mediation. We focused on factors

that determine mediation (1) processes, including mediators' and disputants' behaviors, and (2)

outcomes. We began with the coding of two prior literature reviews, which focused on studies of

mediation published before 2001 (Wall and Lynn, 1993; Wall et al., 2001). For the years 2001-

2012, we searched the published literature available through PsychInfo, Web of Science Social

Science Citation Index, ABI Inform, and journals from Lexis Nexus. Of the 133 articles

published on mediation during this period, we first selected papers that described original

empirical studies resulting in a total of 67 studies. As a second step, we selected all studies which

focused on factors that were reported to affect the mediation process including mediators' and

disputants' behaviors as well as their perceptions of the process and outcomes. In total 35 articles were included in the final review. These articles include quantitative and qualitative designs, field and laboratory studies as well as correlational, experimental and case studies. The contexts of the mediation studies were varied and included family mediation, divorce mediation, mediation in higher education, mediation within organizations, labor mediation, community mediation, international mediation, and simulations in the laboratory.

Results of the literature survey

Wall and Lynn (1993) identified the following determinants of mediator's techniques from the literature published before 1993: *rules and standards*; *common ground between the disputants and the value the mediator places on the parties' attainment of their outcomes*; *dispute characteristics*; *culture*; mediator *training*; *mediation context*; and *mediator ideology*. In addition, they identified these determinants of mediation outcomes: *level of conflict*; *parties' motivations and commitment*; *scarcity of resources*, which can reduce the number of mutually acceptable solutions; and *type of issues*.

Reviewing the literature from 1993 to 2001, Wall et al. (2001) highlighted the following determinants of mediators' approaches: *environmental factors (culture, time pressure); mediator characteristics (mediator training and their acceptance of rules that govern their practice); and disputant characteristics (disputants and relationship between disputants and mediator)*. In addition, they identified the following determinants of mediation outcomes: *level of conflict, limited resources, type of issues, disputant commitment, mediator rank, disputant power, stage of conflict*, and *visibility of the mediation*.

When we surveyed the published empirical literature from 2001 to 2012, we identified the following categories of determinants of mediator behavior: (1) characteristics of the context

like *culture* (Callister and Wall, 2004), *individual differences within cultures* (Davidheiser, 2006), the *number of parties* in multiparty mediation (Böhmelt, 2011), a *highly conflictual context* (Grima and Trépo, 2009), *time pressure* (Grima and Trépo, 2009; Pinkly, et al, 1995), *shifts and changes in conflict dynamics* (Vukovic, 2012), and *past mediation outcomes* (Bercovitch and Gartner, 2006); (2) <u>characteristics of the conflict</u> like *conflict intensity* and *resolution status* (Alberts et al., 2005; Baitar et al., 2012b; Bercovitch and Gartner, 2006; Pinkly, et al, 1995) as well as *integrative potential* (Maoz and Terris, 2006; Terris and Maoz, 2005); (3) <u>characteristics of disputants</u> like *gender* (Herrman et al., 2003) and *relationship hostility* (Mareschal, 2005); *perceptions of conflict asymmetry* between the parties (Jehn et al., 2010) and *parties' behavioral style* during the mediation (Nelson et al., 2011); (4) <u>characteristics of the mediator</u> like mediator's *experience and skill base* (Arnold, 2007; Mareshal, 2005; Poitras, 2009), mediators *ties, knowledge and bias towards the parties* (Savun, 2008; Svensson, 2009), mediator's *emotional intelligence* (Boland and Ross, 2010), the *clarity of the mediator's role* and their *role-conception* (Grima and Trépo, 2009,Van Gramberg, 2006), *power position of the mediator* (Svensson, 2007) and mediator's *style* (Alberts et al., 2005; Asal et al., 2002, Baitar et al., 2012a, 2012b; Beardsley et al., 2006; Goldberg, 2005; Jameson et al., 2010; Martinez-Pecino et al., 2008; Quinn et al., 2006; Wilkenfeld et al., 2003; Wall et al., 2011; Yiu et al., 2006); and *(5)* <u>characteristics of disputants' perceptions</u> like *trust between mediator and parties* (Stimec and Poitras, 2009), *perceived mediator credibility* (Maoz and Terris, 2006), *perceived mediator's acceptability* (Mareschal, 2005), *parties' perceptions of fair conduct* (Goldman et al., 2008), *perceptions of procedural justice* (Bollen et al., 2012), *perceived mediator's partiality and bias* (Poitras, 2009; Jehn et al., 2006), *perceived mediator's warmth and consideration,* as well as *chemistry with parties* (Poitras, 2009).

Summary and Conclusions of the Literature Survey

  The following provides a summary of the factors identified through our search of existing reviews from 1993 and 2001, and the empirical papers published from 2001-2012:

- <u>Characteristics of the context</u>: environmental factors, mediation context, visibility of the mediation, time pressure, rules and standards, past outcomes, number of parties, culture.

- <u>Characteristics of the conflict</u>: resolution status, conflict intensity, common ground between the disputants and possibilities for mutually acceptable solutions, and type of issues.

- <u>Characteristics of disputants</u>: disputant power, power asymmetry, gender, parties' motivations and commitment, relationship hostility, parties' conflict management style.

- <u>Parties' perceptions of</u>: mediator credibility and acceptability, trust between mediator and parties, fair conduct, procedural justice, mediator partiality and bias, perceived mediator's warmth and consideration as well as chemistry with parties.

- <u>Characteristics of the mediator</u>: mediator style, training, ideology, skill-base, expertise, experience and rank, as well as the value the mediator places on the parties' attainment of their goals, mediator ties, knowledge and bias towards the parties and the clarity of the mediator's role.

  The literature survey depicts a broad compendium of many different factors, all of which have been identified in research as important in determining mediators' strategies and the course of mediation. However, as articulated by Wall and Dunne (2012), the multitude of factors included in research makes it difficult to deduce the major causes/antecedents of mediators' strategies or to offer tangible, practical recommendations for mediators regarding which strategies could be most promising in a given type of mediation situation. Therefore, our next

goal was to reduce the multitude of factors and empirically identify the most fundamental dimensions underlying these many factors.

The Study: Mapping the Fundamental Dimensions of Mediation

Our approach to this research was guided by the classic study of Wish, Deutsch and Kaplan (1976) on mapping the fundamental dimensions of interpersonal relations. Modifying their approach, we sought to hone the findings from our literature search by surveying experienced mediators and inquiring about their experiences of the last mediation they conducted, focusing in particular on the aspects of the situation that they found most salient and that determined both their approach to mediation and its outcomes. The items for the survey were formed using the multitude of factors identified in the literature search. Because we sought to identify the fundamental dimensions of the mediation situation which influence mediators' choices of strategies, we only included those factors by forming corresponding items that characterize *the initial situation of the mediation* (the characteristics of the context, the conflict, and the disputants which were evident in the initial situation). We excluded those factors characterizing the behaviors and perceptions which emerged *during* the mediation from this analysis (i.e., parties' perceptions during the mediation). We used the characteristics of the mediator as well as their predominant style as control variables in our analysis in order to assess the specific contributions of situational variables in determining mediator behaviors up and above mediator styles and characteristics.

In order to identify the most fundamental dimensions of an initial mediation situation we conducted an Exploratory Factor Analysis with the many items that characterize the initial situation of the mediation. We also wanted to ensure that the identified dimensions were meaningful in terms of determining differences in the course of mediation processes and

outcomes, so we also included items in the questionnaire which served as indicators of these variables. Through regression analysis we sought to identify whether the basic dimensions of the initial mediation situation, which were identified through EFA, explained significant variance in the variables characterizing the process, behaviors, and outcomes. Given concerns over the length of the questionnaire, and the fact that the data was collected through self-report of the mediators, only a few salient variables assessing mediation processes, behaviors and outcomes were included: (1) the mediation outcome was assessed by whether or not an agreement was reached (cf. Baitar et al., 2012a, 2012b; Beardsley et al., 2006; Goldberg, 2005; Mareschal, 2005; Martinez-Pecino et al., 2008; Quinn et al., 2006; Savun, 2008); (2) the mediation process was assessed by the mediator's perception of procedural justice (the literature commonly uses justice and fairness as indicators of mediation process, cf. Alberts et al., 2005; Elangovan, 1995; Sheppard, 1984; Van Gramberg, 2006); (3) disputants' behaviors were measured by communication constructiveness (similar to Nelson et al., 2011; Mareschal, 2005); and mediator behavior was assessed through the distinction of relationship versus problem-solving strategy (Kressel, 2006) and by reporting on the necessity for preparation for mediation (see Savun, 2008; Svensson, 2009).

Methods

Design and Procedure. The study was conducted at a large University in the Northeastern United States and employed an online survey questionnaire with experienced mediators. The mediators were asked to describe and reflect on their most recent mediation case, and then to answer a series of questions about the case, including: (1) demographic data and control variables, (i.e., background and characteristics of the mediators; background and characteristics of the case), (2) how the variety of variables of the mediation (derived from the

literature survey) characterized the initial mediation situation, and (3) the variables assessing the

mediation outcomes and processes as well as the mediator's and disputants' behaviors. As

incentive, participants were offered a $10 Starbuck's gift card.

Participants. Participants were recruited through an open call to the international and

domestic mediation community through various professional networks. In total, 149 mediators

completed the questionnaire. Mediators were diverse with regard to sex (35% male), age

(Min=25 years, Max=81 years, M=52.74 years, SD=14.20), educational background (3% high

school diploma, 1% associate's degree, 17 % bachelor's degree, 42% master's degree, 33%

doctorate's degree, 4% other), and ethnicity (4% African, 1% Asian, 4% Latin, 78% White /

Caucasian, and 13% other). Their experience as mediators ranged from 1 to 35 years with an

average of 9.87 years' experience (SD=8.10 years). Five percent reported mediating on average

every day, 35% every week, 46% every month, 9% every half a year, 3% every year and 2% less

often. The participants worked in diverse settings as mediators (13% academic setting, 3%

alternative dispute resolution clinic, 54% community mediation center, 9% international setting,

14% mediation center, 20% within an organization, 11% within a non-governmental

organization, 9% private mediation group, 36% as an independent mediator, and 14% in other

settings). Table 2 (Variables 5 – 10) shows the means of the styles which mediators reported

using predominantly in their mediations (in response to the question "With what approach(es) to

mediation are you most strongly identified?" with 1="describes you poorly" and 5="describes

you well"). The most popular stylistic self-description was "facilitative"; the least popular was

"narrative."

Mediation Cases. Mediators were asked to reflect on the last case they had mediated, no

matter what the outcome. The cases dated back less than 1 week in 43% of the cases, less than 1

month in 32%, less than 3 months in 13%, less than 6 months in 7%, less than 1 year in 1%, and more than 1 year ago in 4% of the cases. The types of the mediation described were: 18% child custody, 13% community, 11% small claims, 11% family, 10% divorce, 9% landlord-tenant, 8% international, 8% employment, 6% within organizations, 4% between organizations, 4% school, 3% customers, 1% environmental, and 7% other.

Measures. First, the mediators were asked to provide general information about themselves and describe their case in response to two open-ended questions ("Please briefly describe the mediation [i.e. the parties, what the conflict was about, and the setting and context in which it occurred]" and "Please briefly describe, in chronological sequence, what you did as a mediator and how the mediation went"). Next, they were asked to characterize the mediation on a set of bipolar items: the *mediation situation rating items* (which referred to the initial conditions of the mediation and were used to determine the basic dimensions) and the *variables,* which assessed the mediation's outcome and process as well as mediator's and disputants behaviors. In addition, *control variables* addressing characteristics of the mediator and the goals of the mediation were included.

Mediation Situation Rating Items. In order to determine the fundamental dimensions of mediation situation we generated a comprehensive list of bipolar items (such as "Much common ground---No common ground") which were employed to characterize the mediation situation on a 7-point scale. The items were derived from the factors identified in the literature search. The list of items is shown in Table 1. The first 14 items (items 1-14) described characteristics of the context.[1] The next 11 items (15-25) addressed the characteristics of the conflict - its type and its

---

[1] The aspect of culture could only be included by asking whether or not disputants were of similar cultural and socio-economic backgrounds as the study was not intended as an intercultural study.

intensity. The last 4 items focused on the characteristics of the parties including their history and relationship together.

   Variables assessing the mediation process, behaviors and outcomes. The *process* of the mediation was measured with a 3-item *procedural justice* subscale developed by Poitras and Le Tareau (2009; α=.76, 7-point scale). The *outcome* of the mediation was assessed by asking whether or not an agreement was reached. The *parties' behavior* was assessed by measuring the *constructiveness of parties' communications* during the mediation using the following 3 items (α=.82, 7-point scale): Please describe the overall mediation process: disrespectful communication - respectful communication; hostile communication - friendly communication; use of threats by parties - no use of threats by parties. *Mediator's behavior* was assessed with 3 items addressing their *strategy during the mediation with respect to a focus towards a settlement* on the one hand or *towards the relationship* on the other (α=.68, 7-point-scale), and with 2 items asking about the degree of *pre-mediation preparations* that were required on the part of the mediator (α=.80, 7-point-scale). The 3 items assessing the mediators' strategy were: Please rate yourself as a mediator in this particular mediation: relationship-oriented - settlement-oriented; relational style - problem-solving style; provided no suggestions - provided suggestions about the settlement. The distinction between relationship and settlement / problem-solving focus is commonly used in the mediation literature (c.f. Fisher et al., 1991, Deutsch et al., 2006) and thus was assumed to be familiar to mediators. The 2 items addressing the degree of pre-mediation preparations were: This particular mediation: did not require pre-mediation sessions - required pre-mediation sessions; required no preparation - required considerable preparation.

   Control Variables. We also included several control variables in the analysis. First we included *mediator's sex*, *mediator's experience* as a practicing mediator (in years), and the

frequency with which the mediator practiced mediation. Second we assessed how long ago in the

past the mediation on which they were reflecting had occurred. Third, as indicated earlier, we

assessed the mediators preferred style using Kressel's (2007) categorization: facilitative,

evaluative, strategic, transformational, narrative, victim-orientated. Fourth, we also wanted to

control for the goals of the mediation as perceived by the mediator using the 5 item scale

developed by Charkoudian et al. (2009), which asks to what extent the following were goals of

the mediation: agreement, clarity about needs and choices, understanding of each other, control

of the outcome, and ability to resolve future conflicts.

Results

       Fundamental dimensions of mediation. In order to determine the most basic underlying

dimensions of the mediation situation we conducted an Exploratory Factor Analysis. The number

of factors was determined using Velicer's Minimum Average Partial test (MAP; O`Connor 2000;

Velicer 1976) and the parallel analysis approach (PA; Horn 1965). There is increasing evidence

that the MAP and the PA are superior approaches to identifying latent factors (O'Connor, 2000;

Zwick and Velicer, 1986). Both methods (the MAP test and the PA following O´Connor, 2000)

suggested 4 factors. As our main goal was to reduce the multitude of different items that

characterized the initial mediation situation (i.e., mediation situation rating items that are shown

in Table 1) and to describe mediation situations with a few basic factors or dimensions, we used

a Principal Components Analysis. We were interested in identifying distinct and independent

basic dimensions describing the mediation situation and thus we conducted a Varimax rotation.

The results are shown in Table 1. The 4 factors explain in total 42% of the variance. In our study

we chose a very diverse set of items that were included in the factor analysis. Given the diversity

of the items we consider the communalities and the factor loadings as satisfactory for all items

but one: Item 29 'Parties were of unequal power – parties were of equal power'. Hence this item

was excluded from further analysis.

Table 1 reveals the following four underlying dimensions of initial mediation situations:

1) The nature of the *conflict* itself and especially its *levels of intensity, destructiveness,*

and intransigence. This is essentially the strength or magnitude of the conflict, or the amount of

energy required to manage it effectively. It is a dimension commonly used to characterize

differences in conflict in the literature (c.f., Fisher, 1990; Kriesberg, 2007; Lund, 2009; Pruitt

and Kim, 2004). This factor included the following elements: low intensity–high intensity;

unemotional – highly emotional; very simple – highly complex; history of positive relations –

history of negative relations; temporary conflict – protracted conflict; no latent issues –

important latent issues; task conflict – social-emotional conflict; narrow range of issues – broad

range of issues; and few concerns about identity – significant concerns about identity.

2) The degree of *constraints* or *limitations* placed on the mediation by the *context* or

environment in which it takes place. This is essentially the degree to which the context of the

mediation imposes restrictions and limitations on the mediation process and outcomes. This

quality has been used to characterize differences in legal mediation contexts (Korobkin, 2009)

and well as cultural contexts more generally (Gelfand, Nishii, and Raver, 2006). It included:

situation imposed few limitations – situation imposed extreme limitation; involved general

mediation practices – involved local indigenous practices; private process – public process;

simple environment – complicated environment; unimportant to broader community – important

to broader community; no constituent pressure on parties – constituent pressure on parties; no

time pressures – extreme time pressures; not constrained by a legal framework – constrained by a

legal framework; and conflict not previously mediated – conflict previously mediated.

3) The *relationship between the parties* in terms of their *type of interdependence and similarity*. This represents the degree to which the disputants seem to be moving with each other (similar, supportive, complementary, committed) or against each other (different, obstructive, competing, uncommitted) – or some combination of both. It has been well documented as a primary factor in determining the constructiveness and destructiveness of conflict for decades (Deutsch, 1973, 2014; Johnson and Johnson, 2005). This dimension included: different social backgrounds – similar social backgrounds; different cultures between parties – similar cultures between parties; no common ground – much common ground; temporary relationship between parties – ongoing relationship; and low party commitment to mediation – high party commitment to mediation.

4) The *overt versus covert nature of the issues and processes* of the mediation. This dimension distinguishes between mediation issues and processes that are transparent, acknowledged, and openly discussed from those that are hidden, denied, or intentionally avoided. Covert issues and agendas have been identified as a primary cause of intractability in some conflicts (Coleman, 2003), and are believed to require a fundamentally different approach from third-parties (Pinkley, et al, 1995). This included the following elements: explicit issues – implicit issues; overt (obvious) processes – covert (secret) processes –; very safe environment– very unsafe environment; formal mediation process – informal mediation process; concrete issues – matters of general principle.

To summarize, out of the myriad conditions, qualities and characteristics of initial mediation situations described in the literature and investigated in this study, four underlying factors emerged as fundamental, which describe the quality of the conflict, context, relationships, issues and processes.

Relationship between the fundamental dimensions of the initial mediation situation and the mediation outcome, behaviors, and processes. In order to explore the relationship between the four dimensions identified through the factor analysis, the mediator's and disputants' behavior, and the processes and the outcomes of the mediation, scales were formed for the four dimensions using the items shown in Table 1 (except for item 29; scale reliabilities are presented in Table 2). As the goal of the study was not to develop reliable scales, but to assess the most basic characteristics of mediation situations, the reliabilities, which are moderate to high, are considered sufficient for this analysis. The correlations of all variables included in the study can be seen in Table 2.

A regression analysis was conducted and revealed that all four underlying dimensions explained substantive and distinct variance for at least one of the variables assessing the mediation process, outcome, and behaviors (see Table 3). When controlling for mediator sex, experience, style-preference and goal-orientation, we found that: 1) the intensity and intractability of the conflict was related to the types of behaviors between the parties (the higher the intensity of the conflict, the more unfriendly and disrespectful was the behavior between the parties); 2) the constraints imposed on the mediation process was related to the degree to which preparations were necessary as well as and the choice of mediator's strategy (the higher the limitations, the higher the degree of preparation and the more settlement-oriented); 3) the type of interdependence (similarity between parties) was related to the likelihood an agreement was reached (the higher the similarity the more likely it was that the mediation resulted in an agreement); and 4) the overt-covert nature of the process and issues was related to procedural justice, the agreement and the mediator's strategy (the more explicit an issue was the higher was

the perception of procedural justice in the mediation, the more often an agreement was reached

and the more likely the mediator focused on the agreement settlement).

Together, the findings from the factor and regression analyses suggest that there are four

basic dimensions of mediations, each distinguishing basic differences in the *conflict* (low-

intensity to high-intensity), *disputant relationships* (positive to negative interdependence),

context (unconstrained to highly constrained), and *process/issues* (overt-explicit to covert-

implicit). These four dimensions of mediation are independently related to the process and

outcomes of mediation, including the achievement of *agreements*, the constructiveness-

destructiveness of the disputants' *communications*, mediator perceptions of *procedural justice,*

mediator strategy (non-directive and relational vs. directive and settlement-oriented), and degree

of necessary *mediator preparation*. These effects remain even when mediator *sex*, *experience*,

style preferences and *goals*, are controlled for.

In the section that follows we propose that the findings related to the four fundamental

dimensions of mediation provide us with the basic building blocks to generate a new situated

model of mediation.

Putting it All Together: A Situated Model of Mediation

In recent years, social psychology has moved towards theoretical models which "situate"

individual cognition and behavior in the context of specific social and cultural forces (for a

summary see Jost and Kruglanski, 2002). Our model parallels Deutsch's theory of social

relations and psychological orientations (Deutsch 1982, 1983, 1985, 2011, 2014), which emerged

from his earlier empirical research identifying the fundamental dimensions of interpersonal

relations (Wish et al., 1976). Through multidimensional scaling analysis of survey data, this

research identified four basic dimensions of social relationships, and theorized that these

dimensions, when combined in situations, create distinctive types of social relations, and that

these types of social relations would induce particular types of psychological orientations in

people (for similar models see Coleman et al., 2010, 2012, 2013; Coleman and Kugler, 2014;

Deutsch, 1982; Kelley and Thibaut, 1978; Kelley, 1979, 1984, 1991; Thibaut and Kelley, 1959;

Triandis et al., 1972; Vallacher et al., 2011; Van Lange et al., 2007).

Building on the findings from our literature survey and empirical study, we suggest that

the four fundamental dimensions of mediation are:

- The basic quality of the *conflict*: How intense and destructive is the conflict?

- The basic quality of the *relationship between the disputants*: Do the disputants share
  similar backgrounds and common interests or have disparate backgrounds and purely
  competing interests?

- The basic quality of the *context* of mediation: How constraining-flexible is this situation?

- The basic quality of the *process and issues*: How implicit/covert versus explicit /overt are
  the issues and processes in this mediation?

These four basic dimensions constitute the core of our situated model of mediation (see

Figure 1), which provide a sense of the most basic context in which mediators address conflict.

Thus, conflicts that appear to be similar by virtue of presenting the same issue (a territorial

dispute) may be experienced and responded to in fundamentally different ways depending on the

settings of the four dimensions in the model. The task, then, is to articulate how different values

of the parameters *combine* to promote qualitatively different experiences, behaviors and

outcomes in mediation.

The situated model proposes that when conflicts are perceived by a mediator, the four

basic dimensions of the mediation interact to situate the mediator psychologically in different

regions of a *stimulus field* (a perceiver's representation of his or her external world or

environment, Kelley, 1997; see Figure 1), and that these differences will tend to afford distinct

psychological orientations to the conflict. *Psychological orientations* (POs) are more or less

consistent complexes of cognitive, motivational, moral, and action orientations to a given

situation that serve to guide one's behaviors and responses (Deutsch, 2006, 2011). The theory

predicts that, due to pressures for consistency, specific types of situations will tend to afford

appropriate POs that "fit" the situation, and different types of POs will tend to induce in

mediators preferences for conflict situations that are consistent with their orientations. Mediators

can develop the capacity to employ different types of POs through experience and as they

become necessary in different situations over time. For example, both the formal training and

early formative experiences of mediators have been shown to give shape to their preferred

approach to mediation (Kressel, 2014). However, when mediators develop strong, chronic

orientations, they may employ POs to conflict situations that are inconsistent with the demands

of the situation, which can bring about negative effects. For instance, imagine a

psychotherapeutically-trained mediator addressing disputants in a business merger conflict as

they would two battling spouses.

In practical terms, the four dimensions translate into four basic concerns of mediators

facing situations of conflict: *How intense and destructive is the conflict? Do the disputants share*

similar backgrounds and common interests or have disparate backgrounds and purely competing

interests? How constraining-flexible is this situation? How implicit/covert versus explicit /overt

are the issues and processes in this mediation? Together, these four aspects of conflict situations

combine to largely determine how mediators perceive and respond to conflict mediation. Thus,

the situated model of mediation contextualizes mediator decisions and actions within a

framework of the most basic aspects of mediation situations. It suggests that it is the combination of mediators' personal tendencies/preferences – what they bring to the conflict (training, expertise, experience, personality, gender, culture, etc.) and the nature of the situation they face ultimately combine to determine their decisions and actions. Thus, the model allows us to investigate the value and consequences of different types of mediation strategies in qualitatively distinct situations.

In this way, the situated model provides us with a new diagnostic framework to be better able to assess mediation situation-types and mediator styles and preferences, as well as to begin to better investigate the gap in understanding identified by Wall and Dunne (2012) between specific mediation situations, their best strategies and related outcomes. Future research should be tasked to identify the behavioral strategies that are most "appropriate" or "best" in a given situation, located somewhere in the space along the four dimensions. Summing up we offer a first prediction: *Qualitatively different situations - with respect to the four dimensions of the situated model of mediation – will afford different psychological orientations of mediators and will require different mediators' strategies in order to be mediated successfully.*

This prediction suggests another core aspect of the situated model of mediation: The mediator's ability to adapt. Many approaches to the study of psychological orientations suggest that even though different orientations may be useful in particular situations, problems typically arise for people when they become fixated on any one orientation or strategy, or when an individual's chronic orientation(s) fits poorly with the demands of a situation (Deutsch 1985; Coleman and Kugler, 2014; Kelley, 1997; McClelland, 1975). From this perspective, psychosocial flexibility and the ability to identify and respond to relevant changes in the environment are critical, particularly over time or when conflict situations are in flux.

Nevertheless, research has shown that mediators often hold strong chronic preferences for conflict orientations and find it difficult when situations require a different approach (Beardsley et al., 2006; Bercovitch and Houston, 1996; Herrman et al., 2003; Kressel et al., 2012; Zartman and Rubin, 2002).

The situated model of mediation suggests that depending on the region in the stimulus field, different strategies will have their particular utilities, benefits, costs, and consequences. Mediators may encounter very different situations and/or situations that change dramatically over time (with respect to the four dimensions). Ultimately, what is critical in different or dynamic situations is the capacity to *adapt*: *the capacity to identify and respond appropriately to relevant changes in conflict situations and then to employ different strategies in different conflicts, or as the same conflict situation changes, in a manner that achieves goals effectively and fits with the demands of the situation* (Coleman et al., 2012, 2013; Coleman and Kugler, 2011).

Research has offered support for the positive effects of adaptivity in conflict management. Case-based research on interstate negotiations found that parties tended to be more effective in negotiations to the extent that they were able to adjust their orientations and behavior to the relative (and relevant) power of the other side (Zartman and Rubin, 2002). In a correlational study (Coleman et al., 2009), investigators found that more *adaptive* individuals had greater levels of satisfaction with conflicts in general than less adaptive individuals. This study also found that more adaptive individuals learned more from conflicts, and had more global perspectives on conflict; focusing more on both long-term *and* short-term goals than less-adaptive individuals. Subsequent research revealed that higher levels of conflict adaptivity at work were associated with higher levels of satisfaction with work conflict, with co-workers,

greater emotional well-being, less job stress and fewer intentions to quit (Coleman and Kugler,

2011). Research by Van de Vliert et al. (1995) has found that effective individuals rarely employ

single conflict handling styles; instead employing more blended or "conglomerated" approaches

that utilize the beneficial components of a variety of tactics. Research with attorneys (Williams,

1983, 1993) supports this, demonstrating that effective attorneys (as rated by their peers) use a

pattern of behaviors in negotiations that do not neatly fit any one of the conflict-style categories.

Similarly, more adaptive orientations to conflict mediation have also been found to be associated

with higher levels of efficacy and satisfaction with mediation processes and outcomes

(Beardsley, 2010; Beardsley et al., 2006; Jacobs and Aakhus, 2002; Kolb, 1994; Picard, 2004;

Riskin. 2006). Although research on mediator adaptivity is scarce, the model outlined in this

paper provides a solid framework with which to conduct further systematic studies. Thus, we

pose a second proposition: *The mediator's capacity to adapt their strategy to a given or*

changing situation – with respect to the four dimensions of the situated model of mediation and

the corresponding strategies – is crucial for the success of a mediation.

Discussion

The model presented here was developed in response to the scattered and piecemeal state

of theory and research on effective mediation, and builds on both prior research on the factors

affecting mediation as well as on a new study mapping its most fundamental dimensions. The

resulting situated model of mediation suggests that four basic dimensions characterizing

differences in conflict intensity, degree of interdependence between the parties, the extent of the

situational constraints operating on the mediator, and the degree to which the issues and

dynamics of the conflict are hidden or clearly discernable work in concert to affect the

mediator's experiences and the parties' responses to the mediation. These, in turn, affect a basic

set of mediation processes and outcomes (mediator preparation and strategy, procedural justice and constructiveness-destructiveness of disputants' communications). The value of the situated model of mediation, then, is less the identification of new factors and variables, and more in how the model shows how a minimal number of factors are sufficient to capture the complexity of conflict mediation in a wide range of contexts.

The situated model highlights the critical importance mediator's capacity to respond with different strategies to different or changing situations with respect to the four dimensions. Instead of emphasizing how a set of mediator style-preferences or conditions invoke positive conflict processes, the model stresses the necessity of adapting flexibly to new or changing situations in a manner that helps to achieve the disputants' goals. Conflicts can be constructively mediated when the mediators are able to move between different orientations, strategies, and tactic as the different or evolving situations require.

Implications for Mediation Research

The studies presented and the resulting situated model of mediation offer a preliminary perspective on some of the more basic *dynamics* of mediating conflict, such as the way in which the four parameters of the model combine to affect mediation orientations, behaviors and outcomes, and the importance of adaptivity to effective and sustainable conflict management. As such, the model provides a solid step forward in bringing coherence to our basic understanding of mediation in the context of social conflict. However, much work lies ahead to better elaborate on and specify how the parameters of our model operate to affect mediation behaviors, processes and outcomes. Two propositions were posed, which need empirical elaboration. As a next step it is especially important to empirically identify the mediator's strategies that are most effective in the different regions of the basic mediation stimulus field.

At this stage, the empirical findings from the study presented should be considered preliminary as much work lies ahead to refine the model and develop new methods to provide it with additional empirical support. The four parameters we emphasized hardly reflect all the influences on mediation scenarios. For example, the role of disputant ripeness to settle (Zartman, 1989; 2001), power differences between disputants (Coleman, et al, 2010) or differences in mediator power (Carnevale, 2002) may also play a central role. As the literature indicates, mediation is a complex phenomenon in which a wide variety of variables play different roles at different times. Our concern was not to provide a comprehensive account, but rather a minimalist account that serves as scaffolding for subsequent research that may identify other fundamental parameters relevant to mediation. The situated model is intended to incorporate the insights of prior research and conceptualize how the resultant model represents important scenarios of constructive and destructive conflict. The model is thus both heuristic and integrative.

The value of the model will ultimately be judged by its verification in research. The ideas we presented here now need to be translated into testable hypotheses and tested employing various methodologies, including surveys, experimentation, case studies and field projects. For example, focus groups with expert mediators should prove useful in specifying in more detail how the different situation-types of the model result in distinct goals, rules and strategies for conflict mediation. Experimental methods could also be employed to test the effects of particular situation-types on inducing different types of mediation orientations, behaviors and outcomes. In particular, subsequent research should investigate how more chronic preferences for mediation orientations interact positively and negatively with specific situational differences, and how higher levels of mediator adaptivity affect the ultimate outcomes of mediation.

Conclusion

Recent reports from the field suggest that the impact of mediation and related peace practices in the international arena over the past several decades is producing mixed results (United Nations, 2012). Despite good progress in our field, we have much work to do. We suggest that the best hope for our field is found when we keep science close to practice. Even though our field is undergoing a science-practice crisis not unlike what the field of medicine underwent in 1910 when the scandalous Flexner Report revealed a vast drift between clinical science and medical practice (Carey, 2001), there is hope. This hope thrives in places such as the project described in this paper, where the good-works of academics toiling in their labs meets the noble works of practitioners working and learning in the field to inform new models, studies and practices to increase the probabilities of peace.

References

Alberts, J.K., Heisterkamp, B.L. and McPhee, R.M. (2005), "Disputant perceptions of and

satisfaction with a community mediation program", *International Journal of Conflict*

Management, Vol. 16, No.3, pp. 218-244.

Arnold, J.A. (2007), "Influence of third party expertise on disputants' reactions to mediation",

Psychological Reports, Vol. 101, No. 2, pp. 407-418.

Asal, V., Wilkenfeld, J., Young, K., Quinn, D., Pate, A. and Beardsley, K. (2002), "Mediating

ripeness: the impact of mediation on negotiators' zones of agreement", presented at the

Annual Meeting of American Political Science Association, Boston, MA.

Baitar, R.B., Buysse, A., Brondeel, R., De Mol, J. and Rober, P. (2012a), "Post-divorce

wellbeing in Flanders: facilitative professionals and quality of arrangements matter",

Journal of Family Studies, Vol., 18 No. 1, pp. 62-75.

Baitar, R., Buysse, A., Brondeel, R., De Mol, J. and Rober, P. (2012b), "Toward high-quality

divorce agreements: the influence of facilitative professionals", *Negotiation Journal,* Vol.

28, No. 4, pp. 453-473.

Beardsley, K.C. (2010), "Pain, pressure and political cover: explaining mediation incidence",

Journal of Peace Research, Vol. 47, No. 4, pp. 395-406.

Beardsley, K.C., Quinn, D. M., Biswas, B. and Wilkenfeld, J. (2006), "Mediation style and crisis

outcomes", *Journal of Conflict Resolution,* Vol. 50, No. 1, pp. 58-86.

Bercovitch, J. and Houston, A. (1996), "The study of international mediation: theoretical issues

and empirical evidence", in Bercovitch, J. (Ed.), *Resolving International Conflicts: The*

Theory and Practice of Mediation, Lynne Reinner Publications, Boulder, CO, pp. 11-35.

Bercovitch, J. and Gartner, S.S. (2006), "Is there method in the madness of mediation? Some lessons for mediators from quantitative studies of mediation", *International Interactions,* Vol. 32, No.4, pp. 329-354.

Böhmelt, T. (2011), *International Mediation Interaction: Synergy, Conflict, Effectiveness*, Springer, Wiesbaden.

Boland, M.J. and Ross, W.H. (2010), "Emotional intelligence and dispute mediation in escalating and de-Escalating situations", *Journal of Applied Social Psychology,* Vol. 40, No. 12, pp. 3059-3105.

Bollen, K., Ittner, H. and Euwema. M. (2012), "Mediating hierarchical labor conflicts: procedural justice makes a difference—for subordinates", *Group Decision and Negotiation,* Vol. 21, No. 5, pp. 621-636.

Callister, R.R. and Wall, J.A. (2004), "Thai and US community mediation", *Journal of Conflict Resolution,* Vol. 48, No. 4, pp. 573-598.

Carey, B. (2001), *1910 'Flexner report' was turning point for School of Medicine*, Vanderbilt Register, Vanderbilt University.

Charkoudian, L., De Ritis, C., Buck, R. and Wilson, C.L. (2009), "Mediation by any other Name would smell as sweet—or would it? The Struggle to Define Mediation and Its Various Approaches", *Conflict Resolution Quarterly,* Vol. 26, No.3, pp. 293-316.

Coleman, P.T. (2011), *The Five Percent: Finding Solutions to Seemingly Impossible Conflicts.* Public Affairs, New York, NY.

Coleman, P.T. (2003), "Characteristics of protracted, intractable conflict: Toward the development of a metaframework-I". *Peace and Conflict: Journal of peace psychology*, Vol 9, No 1, pp 1-37.

Coleman, P.T., Mitchinson, A. and Kugler, K.G. (2009), "Adaptation, integration, and learning: the three legs of the steady stool of conflict resolution in asymmetrical power relations", presented at the 22nd Conference of the International Association for Conflict Management, Kyoto, Japan.

Coleman, P.T., Kugler, K.G. Mitchinson, A., Chung, C. and Musallam, N. (2010), "The view from above and below: the effects of power and interdependence asymmetries on conflict dynamics and outcomes in organizations", *Negotiation and Conflict Management Research,* Vol. 3, No. 4, pp. 283-311.

Coleman, P.T., Kugler, K.G., Mitchinson, A. and Foster, C (2013), "Navigating power and conflict at work: the effects of power asymmetries and interdependence on conflict in organizations", *Journal of Applied Social Psychology*, Vol. 43, No. 10, pp. 1963–1983.

Coleman, P.T. and Kugler, K.G. (2014), "Tracking managerial conflict adaptivity: Introducing a dynamic measure of adaptive conflict management in organizations", *Journal of Organizational Behavior,* Article first published online, May 14th, 2014, doi:10.1002/job.1935

Coleman, P.T., Kugler, K.G., Bui-Wrzosinska, L., Nowak, A. and Vallacher, R. (2012), "Getting down to basics: a situated model of conflict in social relations", *Negotiation Journal*, Vol. 28, No. 1, pp. 7-43.

Davidheiser, M. (2006), "Harmony, peacemaking, and power: controlling processes and African mediation", *Conflict Resolution Quarterly,* Vol. 23 No. 3, pp. 281-299.

Deutsch, M. (2014), "Cooperation, Competition, and Conflict", in M. Deutsch, P. T. Coleman, and E. Marcus (Eds.) *The Handbook of Conflict Resolution: Theory and Practice*, 3rd edition, Josey-Bass, San Francisco, CA, pp. 817-848.

Deutsch, M. (1977), *The resolution of conflict: Constructive and destructive processes*. New

    Yale University Press, Haven, CT.

Deutsch, M. (1982), "Interdependence and psychological orientation", in Derlega, V. J. and

    Grzelak, J. (Eds.), *Cooperation and Helping Behavior: Theories and Research*, Academic

    Press, New York, NY, pp. 15-42.

Deutsch, M. (1983), "Conflict resolution: theory and practice", *Political Psychology,* Vol. 4 No.

    3, pp. 431- 453.

Deutsch, M. (1985), *Distributive Justice: A Social-Psychological Perspective*, Yale University

    Press, New Haven, CT.

Deutsch, M., Coleman, P. T. and Marcus, E. C. (Eds.) (2006), *The Handbook of Conflict*

    Resolution: Theory and Practice, Jossey-Bass, San Francisco, CA.

Deutsch, M. (2011), "Cooperation and competition", Coleman, P. T. (Ed.), *Conflict,*

    Interdependence, and Justice, Springer, Springer New York, NY, pp. 23-40.

Diehl, P. F., and Druckman, D. (2010), *Evaluating Peace Operations*, Lynne Rienner Publishers,

    Boulder.

Duursma, A. (2014), "A current literature review of international mediation". *International*

    Journal of Conflict Management, Vol. 25 No. 1, pp. 81-98.

Elangovan, A.R. (1995), "Managerial third-party dispute intervention: A prescriptive model of

    strategy selection", *Academy of Management Review*, Vol. 20 No. 4, pp. 800-830.

Fisher, R.J. (1990), "An eclectic model of intergroup conflict", in R. J. Fisher (Ed.) *The social*

    psychology of intergroup and international conflict resolution, Springer, New York, NY,

    pp. 87-115.

Fisher, R., Ury, W., and Patton, B. (1991), *Getting to Yes,* Penguin Books, New York, NY.

Gelfand, M.J., Nishii, L., and Raver, J. (2006), "On the nature and importance of cultural tightness-looseness". *Journal of Applied Psychology*, Vol 91, No. 6, pp. 1225-124.

Goldberg, S.B. (2005), "The secrets of successful mediators", *Negotiation Journal,* Vol. 21, No. 3, pp. 365-376.

Goldman, B.M., Cropanzano, R., Stein, J.H., Shapiro, D.L., Thatcher, S. and Ko, J. (2008), "The role of ideology in mediated disputes at work: a justice perspective", *International Journal of Conflict Management,* Vol. 19, No. 3, pp. 210-233.

Grima, F., and Trépo, G. (2009), "Knowledge, action and public concern: the logic underlying mediators' actions in French labour conflicts", *The International Journal of Human Resource Management,* Vol. 20, No. 5, pp. 1172-1190.

Herrman, M.S., Hollett, N.L., Eaker, D.G. and Gale, J. (2003), "Mediator reflections on practice: connecting select demographics and preferred orientations", C*onflict Resolution Quarterly,* Vol. 20, No. 4, pp. 403-427.

Honeyman, C., Coben, J. and De Palo, G. (2009), "Introduction: negotiation teaching 2.0", *Negotiation Journal,* Vol. 25, No. 2, pp. 141-146.

Horn, J.L. (1965), "An empirical comparison of methods for estimating factor scores", *Educational and Psychological Measurement,* Vol. 25, No. 2, pp. 313-322.

Jacobs, S., and Aakhus, M. (2002), "What mediators do with words: implementing three models of rational discussion in dispute mediation", *Conflict Resolution Quarterly,* Vol. 20, No. 2, pp. 177-203.

Jameson, J.K., Bodtker, A.M., and Linker, T. (2010), "Facilitating conflict transformation: mediator strategies for eliciting emotional communication in a workplace conflict", *Negotiation Journal,* Vol. 26, No. 1, pp. 25-48.

Jehn, K.A., Rupert, J., Nauta, A. and Van Den Bossche, S. (2010), "Crooked conflicts: the

    effects of conflict asymmetry in mediation", *Negotiation and Conflict Management*

    Research, Vol. 3, No. 4, pp. 338-357.

Jehn, K.A., Rupert, J. and Nauta, A. (2006), "The effects of conflict asymmetry on mediation

    outcomes: satisfaction, work motivation and absenteeism", *International Journal of*

    Conflict Management, Vol. 17, No. 2, pp. 96-109.

Johnson, D.W., and Johnson, R. (2005), "New developments in social interdependence theory",

    Psychology Monographs, Vol. 131, No. 4, pp. 285-358.

Jost, J.T., and Kruglanski, A.W. (2002), "The estrangement of social constructionism and

    experimental social psychology: history of the rift and prospects for reconciliation",

    Personality and Social Psychology Review, Vol. 6, No. 3, pp. 168-187.

Kelley, H.H., and Thibaut, J.W. (1978), *Interpersonal Relations: A Theory of Interdependence*,

    Wiley, New York.

Kelley, H.H. (1979), "Some trends in social psychology", *Japanese Journal of Experimental*

    Social Psychology, Vol. 18, No. 2, pp. 161-166.

Kelley, H.H. (1984), "Affect in interpersonal relations", *Review of Personality and Social*

    Psychology, Vol. 5, pp. 89-115.

Kelley, H.H. (1991), "Lewin, situations, and interdependence", *Journal of Social Issues,* Vol. 47

    No. 2, pp. 211-233.

Kelley, H.H. (1997), "The 'Stimulus Field' for interpersonal phenomena: the source of language

    and thought about interpersonal events", *Personality and Social Psychology Review,* Vol.

    1, No. 2, pp. 140-169.

Kolb, D.M. (1994), *When Talk Works: Profiles of Mediators*, Jossey-Bass, San Francisco.

Korobkin, R. (2008), "Against integrative bargaining". *Case Western Reserve Law Review*, Vol. 58, No. 4, 1323-1342.

Kressel, K. (2014), "The mediation of conflict: Context, cognition, and practice", in M. Deutsch, P. T. Coleman, and E. Marcus (Eds.), *The Handbook of Conflict Resolution: Theory and Practice*, 3rd Edition, Josey-Bass, San Francisco, pp. 817-848

Kressel, K. (2007), "The strategic style in mediation", *Conflict Resolution Quarterly,* Vol. 24, No. 3, pp. 251-283.

Kressel, K. (2006), "Mediation revisited", in M. Deutsch and P. Coleman (Eds.), *The Handbook of Constructive Conflict Resolution: Theory and Practice.* 2nd edition, Jossey-Bass, San Francisco.

Kressel, K., Henderson, T., Reich, W. and Cohen, C. (2012), "Multidimensional analysis of conflict mediator style", *Conflict Resolution Quarterly,* Vol. 30, No. 2, pp. 135-171.

Kriesberg, L. (2007), *Constructive Conflicts: From Escalation to Resolution*, 3rd edition, Rowman & Littlefield, Lanham.

Lund, M.S. (2009), *Conflict prevention: Theory in pursuit of policy and practice,* Sage, London, pp. 287-308.

Maoz, Z. and Terris. L.G. (2006), "Credibility and strategy in international mediation", *International Interactions,* Vol. 32, No. 4, pp. 409-440.

Mareschal, P.M. (2005), "What makes mediation work? Mediators' perspectives on resolving disputes", *Industrial Relations: A Journal of Economy and Society,* Vol. 44, No. 3, pp. 509-517.

Martinez-Pecino, R., Munduate, L., Medina, F. J. and Euwema, M.C. (2008), "Effectiveness of
mediation strategies in collective bargaining", *Industrial Relations: A Journal of
Economy and Society,* Vol. 47, No. 3, pp. 480-495.

McClelland, D.C. (1975), *Power: The Inner Experience*, Irvington Publishers, New York, NY.

McGuire, W.J. and McGuire, C.V. (1988), "Content and process in the experience of self",
Advances in Experimental Social Psychology, Vol. 21, pp. 97-144.

Moore, C.W. (2003), *The Mediation Process: Practical Strategies for Resolving Conflict*,
Jossey-Bass, San Franscisco, CA.

Nelson, N., Albeck-Solomon, R. and Ben-Ari. R. (2011), "Are your disputants insecure and does
it matter? Attachment and disputants' speech during mediation", *Negotiation Journal,*
Vol. 27 No. 1, pp. 45-68.

O'Connor, B.P. (2000), "SPSS and SAS programs for determining the number of components
using parallel analysis and Velicer's MAP Test", *Behavior Research Methods,
Instruments, and Computers,* Vol. 32, No. 3, pp. 396-402.

Picard, C.A. (2004), "Exploring an integrative framework for understanding mediation", *Conflict
Resolution Quarterly,* Vol. 21, No. 3, pp. 295-311.

Pinkley, R.L., Brittain, J., Neale, M.A., and Northcraft, G.B. (1995), "Managerial third-party
dispute intervention: An inductive analysis of intervenor strategy selection." *Journal of
Applied Psychology*, Vol 80, No 3, pp. 386-402.

Poitras, J. (2009), "What makes parties trust mediators?", *Negotiation Journal,* Vol. 25, No. 3,
pp. 307-325.

Poitras, J., and Le Tareau, A. (2009), "Quantifying the quality of mediation agreements",
Negotiation and Conflict Management Research, Vol. 2, No. 4, pp. 363-380.

Pruitt, D., Rubin, J.Z., and Kim, S.H. (2004), *Social conflict: Escalation, stalemate, and settlement.* New York, NY: McGraw-Hill.

Quinn, D., Wilkenfeld, J., Smarick, K. and Asal, V. (2006), "Power play: mediation in symmetric and asymmetric international crises", *International Interactions,* Vol. 32, No. 4, pp. 441-470.

Riskin, L.L. (2006), "Understanding mediators' orientations, strategies, and techniques: a grid for the perplexed", *Harvard Negotiation Law Review,* Vol. 1, No. 7, pp. 7-51.

Savun, B. (2008), "Information, bias, and mediation success", *International Studies Quarterly,* Vol. 52, No. 1, pp. 25-47.

Sheppard, B.H. (1984), "Third party conflict intervention: A Procedural framework", in B. M. Staw and L. L. Cummings (Eds.), *Research in organizational behavior.* Greenwich, CT: JAI Press.

Stimec, A. and Poitras, J. (2009), "Building trust with parties: are mediators overdoing it?", *Conflict Resolution Quarterly,* Vol. 26, No. 3, pp. 317-331.

Svensson, I. (2009), "Who brings which peace? Neutral versus biased mediation and institutional peace arrangements in civil wars", *Journal of Conflict Resolution,* Vol. 53, No. 3, pp. 446- 469.

Svensson, I. (2007), "Mediation with muscles or minds? exploring power mediators and pure mediators in civil war", *International Negotiation,* Vol. 12, pp. 229–248.

Terris, L.G., and Maoz, Z. (2005), "Rational mediation: a theory and a test", *Journal of Peace Research,* Vol. 42, No. 5, pp. 563-583.

Thibaut, J.W. and Kelley, H. H. (1959), *The social psychology of groups.* New York; NY: Wiley

Triandis, H.C. (1972), *The Analysis of Subjective Culture*, Wiley-Interscience, New York, NY.

United Nations, (2012), *Informal High-Level Meeting of the General Assembly on "The Role of Member States in Mediation",* May 23, 2012, New York, NY.

United Nations, (2011a), "Strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution", *United Nations Resolution No 283*, adopted by the General Assembly at its 65th session, available at: http://www.un.org/Depts/dhl/resguide/r65.shtml.

United Nations, (2011b), "Strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution", *United Nations Resolution No 291*, adopted by the General Assembly at its 66th session, available at: http://www.un.org/ga/search/view_doc.asp?symbol=%20A/RES/66/291.

Van De Vliert, E., Euwema, M.C., and Huismans, S.E. (1995), "Managing conflict with a subordinate or a superior: effectiveness of conglomerated behavior", *Journal of Applied Psychology,* Vol. 80, No. 2, pp. 271-281.

Vallacher, R.R., Coleman, P.T., Nowak, A. and Bui-Wrzosinska, L. (2011), "Rethinking intractable conflict: the perspective of dynamical systems", Coleman, P. T. (Ed.), *Conflict, Interdependence, and Justice*, Springer, New York, NY, pp. 65-94.

Van Gramberg, B. (2006), *Managing Workplace Conflict: Alternative Dispute Resolution in Australia,* Federation Press, Annandale.

Van Lange, P.A.M., De Cremer, D., Van Dijk, E. and Van Vugt, M. (2007), "Self-interest and beyond", Kruglanski , A.W. and Higgins, E.T. (Eds.), *Social Psychology: Handbook of Basic Principles*, Guilford Press, New York, NY, pp. 540-561.

Velicer, W.F. (1976), "determining the number of components from the matrix of partial correlations", *Psychometrika,* Vol. 41, No. 3, pp. 321-327.

Vukovic, S. (2012), "Coping with complexity: analyzing cooperation and coordination in

        multiparty mediation processes", *International Negotiation,* Vol. 17 No. 2, pp. 265-293.

Vukovic, S. (2014), "International mediation as a distinct form of conflict management."

        International Journal of Conflict Management, Vol. 25, No. 1, pp. 61-80.

Wall, J.A. and Lynn, A. (1993), "Mediation: a current review", *Journal of Conflict Resolution,*

        Vol. 37, No. 1, pp. 160-194.

Wall, J.A., Stark, J.B. and Standifer, R.L. (2001), "Mediation: a current review and theory

        development", *Journal of Conflict Resolution,* Vol. 45, No. 3, pp. 370-391.

Wall, J.A., Dunne, T.C. and Chan-Serafin, S. (2011), "The effects of neutral, evaluative, and

        pressing mediator strategies", *Conflict Resolution Quarterly,* Vol. 29, No. 2, pp. 127-150.

Wall, J.A., Chan-Serafin, S. and Dunne, T. (2012), "Mediator pressing techniques: a theoretical

        model of their determinants", *Group Decision and Negotiation,* Vol. 21, No. 5, pp. 601-

        619.

Wall, J.A. and Dunne, T.C. (2012), "Mediation research: a current review", *Negotiation Journal,*

        Vol. 28, No. 2, pp. 217-244.

Wilkenfeld, J., Young, K., Asal, V. and Quinn, D. (2003), "Mediating international crises cross-

        national and experimental perspectives", *Journal of Conflict Resolution,* Vol. 47, No. 3,

        pp. 279-301.

Williams, G.R. (1983), *Legal Negotiations and Settlement,* West Publishing Company, St. Paul.

Williams, G.R. (1993), "Style and effectiveness in negotiation", Hall, L. (Ed.), *Negotiation:*

        Strategies for Mutual Gain: the Basic Seminar of the Harvard Program on Negotiation,

        Sage, Newbury Park, CA.

Wish, M., Deutsch, M. and Kaplan, S.J. (1976), "Perceived dimensions of interpersonal

relations", *Journal of Personality and Social Psychology,* Vol. 33, No. 4, pp. 409-420.

Yiu, T.W., Cheung, S.O., and Mok, F.M. (2006), "Logistic likelihood analysis of mediation

outcomes". *Journal of construction engineering and management*, Vol. 132, No. 10, pp.

1026-1036.

Zartman, I. W. (1989), *Ripe for Resolution*, New York: Oxford University Press.

Zartman, I.W. (2001), "The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments."

Global Review of Ethnopolitics, Vol. 1, No. 1, pp. 8–18.

Zartman, I.W., and Rubin, J.Z. (2002), *Power and Negotiation*, University of Michigan Press,

Ann Arbor.

Zwick,W.R., and Velicer, W.F. (1986), "Comparison of five rules for determining the number of

components to retain", *Psychological Bulletin,* Vol. 99, No. 3, pp. 432-442.

Table 1

Exploratory factor analysis for the underlying dimensions

Nr.	Items	Factor Loading				Commun-alities
		1	2	3	4	
16	Low intensity conflict – High intensity conflict	**.84**	.08	-.15	.04	.74
27	History of positive relations - History of negative relations …	**.65**	.01	.04	.14	.44
26	Temporary conflict - Protracted conflict	**.65**	-.15	-.04	-.20	.48
22	No latent issues fueling the conflict - Important latent issues …	**.57**	.15	.17	-.04	.38
24	Task conflict - Social-emotional conflict	**.54**	.08	.15	-.25	.38
21	Narrow range of issues - Broad range of issues	**.52**	.37	.00	-.00	.41
25	Few concerns about identity - Significant concerns about identity	**.43**	.21	-.18	-.24	.32
11	Situation imposed few limitations - Situation imposed extreme …	.11	**.69**	.10	-.10	.51
6	Involved general mediation practices - Involved local indigenous …	-.00	**.65**	-.08	.03	.43
8	Private process - Public process	-.05	**.60**	-.06	.08	.37
1	Simple environment - Complicated environment	.33	**.58**	-.18	-.14	.50
5	Unimportant to broader community - Issues important to broader …	.19	**.58**	-.24	-.16	.46
7	No constituent support - Constituent support for parties	.14	**.50**	.02	-.11	.28
9	No time pressures - Extreme time pressures	.08	**.49**	.12	.08	.27
10	Not constrained by a legal framework - Constrained by a legal …	-.06	**.47**	.20	.07	.27
12	Conflict not previously mediated - Conflict previously mediated	.28	**.40**	-.16	.07	.27
13	Different social backgrounds - Similar social backgrounds	.17	-.09	**.81**	-.00	.69
14	Different cultures between parties - Similar cultures between parties	.08	-.07	**.78**	-.07	.63
15	No common ground - Much common ground	-.11	.13	**.56**	.02	.35
18	Temporary relationship between parties - Ongoing relationship …	.12	-.03	**.53**	-.12	.31
28	Low party commitment - high party commitment	-.17	.01	**.42**	.26	.27
20	Implicit issues - Explicit issues	.05	.07	-.04	**.74**	.55
4	Covert (secret) process - Overt (obvious) process	-.16	-.10	-.21	**.61**	.46
2	Very unsafe environment - Very safe environment	-.21	-.37	.05	**.55**	.48
3	Informal mediation process - Formal mediation process	.04	-.03	-.05	**.52**	.27
23	Matters of general principle - Concrete issues	.03	.30	.19	**.50**	.37
29	Parties were of unequal power - parties were of equal power	-.17	.01	.22	.32	.18
	Eigenvalue	5.24	2.63	2.38	1.93	
	% of variance	13.98	11.89	8.53	7.56	

Note. Factor loadings ≥.40 are boldface. The two anchors of each item are shown.

Table 2

Correlations between variables

Variables	M	SD	1	2	3	4	5	6	7	8	9	10	11
1. Mediators' sex	1.65	0.48											
2. Mediators' experience	9.87	8.10	-.07										
3. Frequency mediating	2.77	1.03	-.12	.07									
4. How long was the mediation ago?	2.04	1.27	-.23**	.08	.60**								
5. Mediators' style: facilitative	4.54	0.85	.15	.09	-.12	-.05							
6. Mediators' style: evaluative	3.21	1.35	-.13	-.03	.10	.09	.11						
7. Mediators' style: strategic	3.40	1.24	-.13	.08	.02	.13	.14	.35**					
8. Mediators' style: transformational	3.69	1.30	.05	-.03	-.05	.06	-.01	-.01	.27**				
9. Mediators' style: victim-offender	3.27	1.36	-.01	-.06	-.13	-.08	.11	.10	.43**	.43**			
10. Mediators' style: narrative	2.61	1.43	-.10	-.05	-.09	.04	.09	.13	.21*	.31**	.42**		
11. Goal of mediation: agreement	5.84	3.41	-.05	.12	.06	-.01	.07	-.02	-.07	-.25**	-.16	-.16	
12. Goal of mediation: clarity	7.41	3.37	.24**	.07	-.05	-.10	.07	-.22*	-.13	-.04	-.16	-.26	.28**
13. Goal of mediation: understanding	7.06	3.19	.35**	.09	-.11	-.10	.07	-.18	-.12	.10	-.08	-.02	.19*
14. Goal of mediation: control the outcome	7.54	3.57	.19*	.10	-.04	-.12	-.02	-.26**	-.19	-.04	-.09	-.21	.38**
15. Goal of mediation: ability to resolve conflicts	6.44	3.48	.31**	.10	-.08	-.07	-.03	-.20*	-.11	.10	.04	-.01	.19*
16. Quality of the conflict: tractable – intractable	4.70	1.15	-.03	.05	.01	.09	-.10	.03	.24**	.31**	.35**	.11	-.13
17. Quality of the context: no constraints – high const.	3.05	1.17	-.27**	-.01	.10	.24**	-.05	.20*	.22**	.21*	.29**	.28**	-.14
18. Quality of the relationship: negative – positive int.	4.77	1.25	.04	.11	.09	.05	.10	-.01	.09	-.01	.03	-.17*	-.03
19. Quality of the process: hidden – expressed	5.28	1.03	-.01	-.04	-.01	-.01	.09	.14	-.07	-.13	-.07	.02	.16
20. Agreement	0.69	0.47	-.05	.18*	.01	.13	.07	-.14	.06	.09	.03	.18	.18*
21. Constructiveness of parties' communication	4.59	1.61	.18*	.07	-.01	-.15	.12	-.02	-.21	-.25**	-.29	-.19	.18*
22. Procedural justice	6.34	0.95	.07	-.25**	.00	-.09	-.01	-.12	-.25**	-.15	-.07	-.11	.02
23. Preparation by mediator	3.06	2.03	-.23**	.09	.12	.23**	.03	.21*	.26**	.18*	.23**	.17*	-.12
24. Mediator's strategy: relationship - settlement	3.53	1.51	-.20	.09	.10	.13	.05	.48**	.17*	-.32**	-.17	.00	.23**

Table 2 (cont.)

Variables	12	13	14	15	16	17	18	19	20	21	22	23	24
13. Goal of mediation: understanding	.73**												
14. Goal of mediation: control the outcome	.72**	.67**											
15. Goal of mediation: ability to resolve conflicts	.61**	.64**	.60**										
16. Quality of the conflict: tractable – intractable	.42	-.05	-.08	.21**	(.82)								
17. Quality of the context: no constraints – high constr.	-.20*	-.19*	-.18*	-.13	.36**	(.74)							
18. Quality of the relationship: competitive – cooperative	-.07	-.05	-.01	-.03	.04	-.06	(.64)						
19. Quality of the process & issues: hidden – expressed	.06	.01	.08	-.127	-.20*	-.11	.02	(.56)					
20. Agreement	-.07	-.03	-.06	.07	.09	.08	.25**	.14					
21. Constructiveness of parties' communication	.21**	.13	.20*	.03	-.49**	-.36**	.07	.15	.12	(.82)			
22. Procedural justice	-.05	-.18	-.04	-.18*	-.21*	-.25**	.05	.30**	-.07	.15	(.76)		
23. Preparation by mediator	-.17	-.12	-.22**	-.07	.41**	.55**	.06	-.06	.06	-.30**	-.10	(.80)	
24. Mediator's strategy: relationship - settlement	-.19	-.25**	-.18*	-.25**	-.03	.24**	.02	.20*	.09	-.03	-.07	.11	(.68)

*p<.05, **p<.01. Coefficient alphas are presented in parentheses along the diagonal. High values represent high levels of the named construct.

Sex: 1=male, 2=female; mediators experience: years; frequency mediating: 1= every day, 2=every week, 3=every month, 4=every half a year, 5=every year,

6=very 3 years, 7=less often; how long was mediation ago?:1=less than 1 week ago, 2= less than 1 month ago, 3=less than 3 months ago, 4=less than 6 months ago,

5=less than 1 year ago, 6=more than 1 year ago; mediators style: 5-point scale (1=describes you poorly, 5=describes you well); goal of mediation: 0-10 scale (0 =

the particular goal was not important at all; 10 = the particular goal was extremely important), variables 16-24: 2 anchors on a 7-point scale (see Table 1 and 2).

Table 3

Regression analysis

| Independent Variables	agreement reached no - yes		constructiveness of parties' communication low - high		procedural justice low - high		preparation by mediator low - high		mediator's strategy: relationship - settlement	
Mediators' sex	-.03	-.07	.15	.11	.07	.03	-.12	-.05	-.03	-.01
Mediators' experience	.15	.11	.10	.11	-.23*	-.23**	.10	.09	.09	.08
Frequency mediating	-.08	-.08	.07	.04	.01	-.01	-.00	.05	-.10	-.06
How long was the mediation ago?	.14	.10	-.11	-.07	-.00	.02	.14	.04	.10	.04
Mediators' style: facilitative	.04	.04	.14	.07	-.04	-.09	-.03	.03	-.01	-.00
Mediators' style: evaluative	-.20	-.26*	.06	.08	-.06	-.09	.10	.04	.40**	.33**
Mediators' style: strategic	.06	.07	-.05	-.02	-.25*	-.22*	.06	.07	.11	.14
Mediators' style: transformational	.06	.12	-.14	-.04	-.07	-.00	.07	.01	-.18*	-.19*
Mediators' style: victim-offender	-.07	-.19	-.18	-.05	-.09	.15	.25	.07	-.15	-.23*
Mediators' style: narrative	.15	.18	-.02	-.02	.01	.02	-.07	-.11	.07	.02
Goal of mediation: agreement	.24*	.26*	-.01	.00	.04	.02	.02	.02	.24**	.23**
Goal of mediation: clarity	-.09	-.16	.08	.13	.20	.20	.06	.03	.01	-.04
Goal of mediation: understanding	-.04	.00	-.06	-.16	-.26	-.29	.06	.13	-.16	-.12
Goal of mediation: control the outcome	-.21	-.18	.17	.08	.06	.00	-.38**	-.35**	.01	-.01
Goal of mediation: ability to resolve conflicts	.19	.23	-.10	.06	-.20	-.11	.13	.10	-.13	-.08
Quality of the conflict: tractable – intractable		.07		-.37**		-.13		.16		-.05
Quality of the context: no constraints – high constraints		.07		-.15		-.17		.45**		.21*
Quality of the relationship: negative – positive interdependence		.28**		.09		.08		.03		.02
Quality of the process & issues: hidden – expressed		.25*		.02		.20*		.03		.17*
R^2	.19	.30	.21	.35	.21	.30	.24	.44	.45	.51
ΔR^2		.11*		.14**		.09*		.20**		.06*
F	1.41	1.96*	2.01*	3.09**	1.97*	2.40**	2.38**	4.38**	6.19**	5.90**

*p<.05, **p<.01
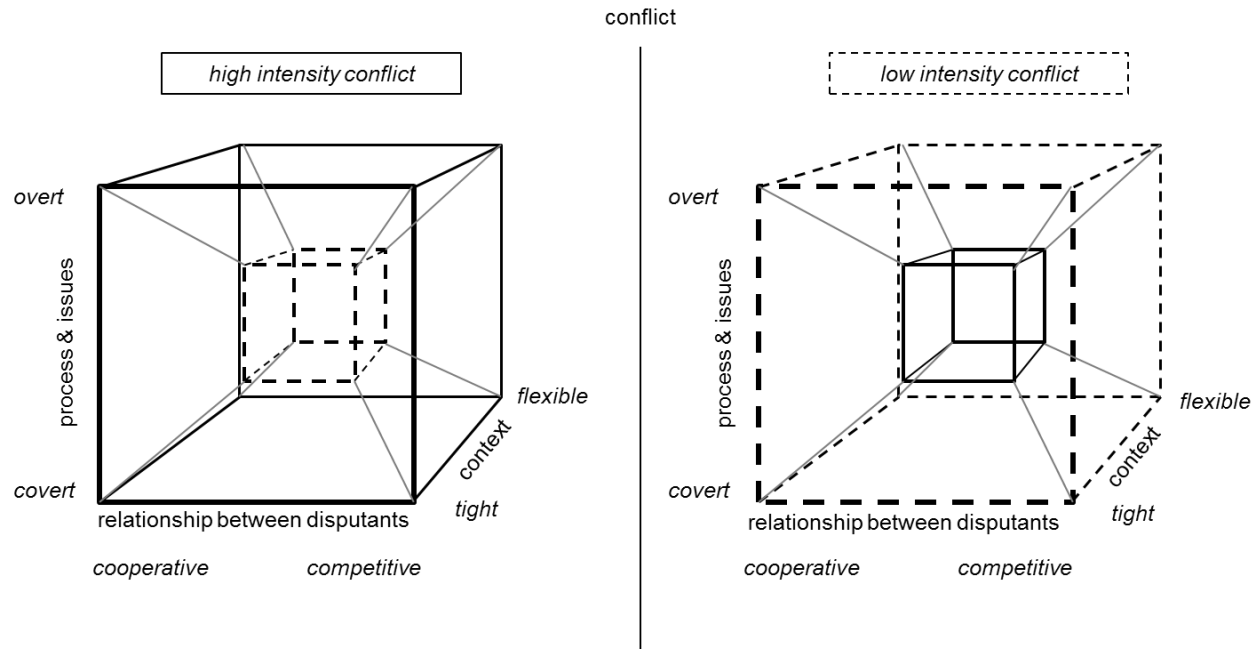
Figure 1. The situated model of mediation