Insight mediation: a reflective and pedagogical model to address conflicts

Mediación insight: un modelo reflexivo y pedagógico para abordar los conflictos

Salvador Garrido Soler
Cooperacción, Jaén, SPAIN

This is an English version of the original in Spanish published by Revista de Mediación. This translation is offered as a courtesy of Revista de Mediación to its English-speaking readers. To reference this article, please cite it as follows: Garrido-Soler, S. (2017). Mediación insight: un modelo reflexivo y pedagógico para abordar los conflictos. Revista de Mediación, 10, e10.

Received: 20/09/2016
Accepted: 07/11/2016

Abstract: Insight Mediation is an original mediation model originated in Canada that was created as a reaction to traditional linear models, i.e. narrative and transformative models. This approach envisages the mediation intervention as a learning interactive process for the participating people (including the person leading the intervention). It is based on two philosophical and pedagogical theories that prioritize personal reflection as a way to reach knowledge: Lonergan’s insight theory, and Mezirow’s transformational learning theory. Using these two theories, its founders crafted a process resorting to specific communicative skills to overcome conflict, which is conceived as experiencing a threat to the most intimate certainties a person has. Lastly, the fact that this approach has been consolidating for over a decade makes it qualify as the fourth great mediation school at an international level.

Resumen: La mediación insight es un modelo original de mediación, proveniente de Canadá, que surge a partir de la crítica hacia los modelos tradicional-lineal, narrativo y transformativo. Este enfoque concibe la intervención mediadora como un proceso interactivo de aprendizaje para todas las personas participantes (incluida la conductora del mismo). Se fundamenta en dos teorías filosóficas y pedagógicas que privilegian la reflexión personal como vía para alcanzar el conocimiento: la teoría del insight de Lonergan y la teoría del aprendizaje transformacional de Mezirow. Sobre estas bases teóricas, sus fundadores han elaborado un proceso que recurre a técnicas comunicativas específicas para superar el conflicto, que es concebido como la experiencia de una amenaza hacia las convicciones más íntimas de la persona. Finalmente, la consolidación de este enfoque durante más de una década posibilita que deba ser considerada como candidata a convertirse en la cuarta escuela de mediación a un nivel internacional.

Key-words: Mediation, Insight, Introspective Mediation, Transformational Learning, Reflective Practice.

Palabras clave: mediación, insight, mediación introspectiva, aprendizaje transformacional, práctica reflexiva.

Dr. Salvador Garrido Soler
PhD in Law awarded by University of Jaen with a doctoral dissertation called «Mediation and Law. A Proposal for their Development through the Pragmatic Analysis of Speech Narrative and Argumentation Dimensions». Consultant and Mediation Practitioner. Currently, he is the Coordinator of the Conflict Prevention and Positive Management Service at Cooperacción. Contact: salvador@cooperaccion.es
«Sé atento, sé inteligente, sé razonable, sé responsable, ama. Y si es necesario, cambia» (Bernard Lonergan)

«Estamos atrapados en nuestras propias historias» (Jack Mezirow)

**Mediation Schools**

Conflict mediation is a structured process that varies substantially based on who is conducting the process, as each person leaves a personal mark on a given intervention (De Diego & Guillén, 2010, p. 62). This nuance makes each case unique and dependent on the life development of its participants. Establishing a comparison between potential mediation interventions can be very complicated; however, since the earliest proposals of phase structured mediation (Coогler, 1978; Jackson, 1952), most mediation manuals attempt to present an exhaustive list of available models.

Today the discipline reproduces a type of canon classification (García García, 2003, p. 61), including three main schools of international renown: the traditional linear model, usually known as the Harvard School, the transformative mediation model developed by Folger and Bush, and the narrative mediation model promoted in Spain by Sara Cobb1. These three schools, with opposing approaches to conflict, focus their work on their respective environments: legal-economic, psychological, and sociological (Munné & McGragh, 2010, pp. 67-68). Theoretical manuals and training courses deal with them in very different ways although they usually review the main characteristics and features of each school (Corsón & Gutiérrez, 2014, pp. 38-45).

In addition to the schools referred to above, it is possible to map alternative models that practitioners have at their disposal (Merino Ortiz, 2013, p. 89). However, Soleto Muñoz indicates, «Insisting in differentiating schools might be unnecessary as they could be countless» (2015, p. 249). Despite this caveat, it is not possible to deny the hegemonic presence of the Harvard School in the theoretical and practical training offered in Spain’s mediation community.

We believe that this predominance restricts the evolution of the professional community towards a true culture of mediation. For this reason, searching for new theoretical references could contribute to the discovery of alternatives to enrich the exercise of this methodology. Fascinating alternatives like Insight Mediation, presented here in this article with a curious origin and original proposal, meet all the requisites to be considered as a new school to include in the Spanish mediation environment.

---

1 It was originally developed by Winslade & Monk (2000).

**Insight Mediation’s Theoretical Foundations**

**A Critique of the Canon Classification of Schools**

Insight mediation is a conflict mediation model developed in 2001 in Ottawa, Canada, based on a joint research project implemented by Professor Cheryl Picard of Carleton University and Professor Kenneth Melchin of Saint Paul University. The beginnings of the school date back to the doctoral research of the former, who indicated that traditional approaches to mediation respond to dual dichotomies (Picard, 2000, p. 38). This evidence, in her opinion, hinders choosing a precise model and the appropriate person to act in an interpersonal dispute (Picard, 2002a, p. 30).

Based on this criticism of the traditional model, she defines mediation as «an integration of theories and practices more than a unified focus or model» (Picard, 2004, p. 310). In her opinion, the available models do not provide a satisfactory response about the ideal role to be played by mediators. Her tendency to ask clarifying questions is an interesting maieutic exercise that illuminates what really occurs during the mediation process and leads her to wonder beyond the questions of traditional mediation models to: what happens during mediation? What do we really do when we mediate? How do we arrive at and what is the change the parties need to make to reach an agreement? (Picard, 2002b).

From the founders’ perspective, the answer to these questions is that mediation should focus on the problem the parties have come to resolve and the concerns that this problem generates for them (Picard & Melchin, 2007, p. 38). Negotiating common interests, creating a new story without modifying the context or, resorting to mutual acknowledgment and legitimization based on the good will of the parties has not been seen as useful to resolve conflicts consistently. At least this is absent in the canon classification of mediation models.

Against this background, the beginning of the multidisciplinary collaboration between Melchin and Picard provides an alternative solution to these doubts. Moreover, it allows access to a rich source for mediators to experience, understand and verify the internal acts and patterns of consciousness associated with how we use our mind when we engage in conflict and when we resolve it through mediation (Price, 2011, pp. 617-618).

**The Insight Theory in Lonergan’s Work**

The first influence on this model is the Canadian philosopher and theologian of special interest to Melchin named Ber-
nard Lonergan. This author deals with a profound renewal of traditional theological stances in his work, favoring a convergence of philosophical thinking and scientific and technological thinking, an encounter that can never be direct (Pambrun, 2015, p. 96-97).

One of the key concepts of Lonergan’s philosophy is insight, which is actually the title of one of his most relevant books. Lonergan defines Insight as an «act of understanding that emerges unexpectedly» (Lonergan, 2004, p. 11). He does not refer to a mere sensory perception of an apprehensible phenomenon, but rather to a set of mental operations that allow people to be aware of themselves in a two-fold way: as an act of the will and as knowledge to be acquired. According to this proposal, an insight arrives in an unexpected and unforeseen way, but it is not fortuitous; it is the response to a problem upon which it is necessary to reflect and research from within but in contact with the outside world, until an unexpected Eureka! moment like the one that allowed Archimedes to discover the hydrostatic principles (Lonergan, 2004, p. 37). Confirmation of a philosophical stance comes after a personal and intimate cognitive, epistemological, and even metaphysical inquiry process (Walczack, 2008, p. 147).

Knowledge, therefore, comprises several mental operations at different levels of consciousness and insight is the main axis (Gromi, 2013, p. 38) that requires a specific procedure to appear. Aware that methodological questions prevail over meaning in current philosophy (Barrera, 2005, p. 435), Lonergan continued to deepen this concept until creating his own epistemological theory, with the result being an original method to understand the act of comprehension.

This procedure, initially called generalized empirical method and later reviewed and called transcendental method, focuses on the core structure of knowledge and its components, as shown in Table 1. This structure comes from rational self-appropriation, as to come to know something and decide to act on it, a reflexive process occurs that includes experiencing, understanding, judging and deciding (Pérez Varela, 2002, p. 433). The transcendental method comprises several steps that link together learning and consciousness, and advancing through them requires us to follow certain normative criteria or transcendental pre-

---

2 Bernard Joseph Francis Lonergan, is a Canadian philosopher and theologian (1904-1984). He was educated as a priest at the Company of Jesus where he specialized in Saint Thomas Aquinas; he reinterpreted Thomism according to the 20th century secular philosophies for which reason his philosophy is defined as «Transcendental Thomism» or «Self-appropriation Phenomenology» in addition to developing a colossal human condition epistemological theory that is summarized (in the event this were possible) by the opening sentence of this paper. To know more about the philosophical aspects of this author, see Walczak, 2008, pp. 141-152.

3 The complexity of the word «insight» makes it extremely difficult to translate it into Spanish and the term has several meanings. Based on the psychological and psychiatric contributions of Damasio and Castilla del Pino an approximate translation can be provided as follows: «it is the ability to gain intuitive, exact and deep knowledge of a person or thing» (Núñez Ramos, 2010, p. 159). The Oxford English Dictionary offers other entries as synonyms of this term, such as understanding, perception, perspicacity, intuition or comprehension. From a cognitive psychology and neurology stand point this would correspond to an intuitive learning process that leads to the acquisition of oneself understanding. However, the implications of this form of intuitive knowledge require prudence as to the correct interpretation of the word as in Spanish the term is usually used in English in order to avoid potential confusion with related concepts. Other options are used outside this field; thus, following Quijano’s translation (Lonergan, 2004) of the egregious work of the Canadian theologian and philosopher, an insight is like an «intellection act». Accordingly, an alternative name for this school in Spanish could be «intellective mediation».

4 According to Lonergan’s philosophy a method is defined as a «normative scheme of recurrent and interrelated operations that yield accumulative and progressive results» (Lonergan, 2006, p. 10).

---

© Santiago Madrid Liras and Mónica Rodríguez-Sedano
The theoretical bases presented in the section above configure an essentially pedagogical mediation model. In principle, the techniques used by any mediator, regardless of the school or approach, aim at causing cognitive changes or reorganization of knowledge. Following this, the learning process comprises a ten-step pathway, as shown in Table 2, and the starting point is dissatisfaction and frustration with recognizing limitations that render personal development difficult. The process concludes at the moment a person realizes a change in handling the experience and expressing it through critical, rational discourse.

In a very abridged form, we can say two main concepts explain the learning process: the self-reflective behavior of the learner, and the facilitating role of the teacher. On the one hand, and unlike other educational contexts that provide only instrumental knowledge and skills, introspective reflection is encouraged by this model along all the stages of the process; not only is it cognitive reflection but also acceptance of the emotional, relational and spiritual dimension (Brock, 2009, p. 123) of individual introspection.

On the other hand, and even if other authors insist on its self-maintaining nature (Tanaka, Farish, Nicholson, Doll, & Archer, 2014, p. 207), the teaching endeavor is indispensable for the model's success. In the words of its creator, «he who assumes the role of teacher adopts a facilitating role of critical thinking and creates conditions for acquiring abilities inherent in adult reasoning» (Mezirow, 2003, p. 62). It is worth noting that this teaching orientation is consistent with Lonergan's learning theory. In this regard, Gromi states that «the teacher trains the student, but cannot guarantee the arrival of insight in the mind of the students» (2013, p. 39). Therefore, it can be said that both influences are intertwined, despite the disparity of their origins, thanks to the need to give the learning experience coherence and meaning through conscientious reflection by its protagonists.

**Practicing Insight Mediation: Structure, Content and Methodology**

**The Conflict as a Threat to One's Convictions**

Table 2. The 10 phases of Mezirow's transformation learning

<table>
<thead>
<tr>
<th>Phase</th>
<th>Disorienting dilemma</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase 1</td>
<td>Self-examination of guilt or shame feelings</td>
</tr>
<tr>
<td>Phase 2</td>
<td>Critical evaluation of epistemic, sociocultural or psychological assumptions</td>
</tr>
<tr>
<td>Phase 3</td>
<td>Recognition of one's discontent, of the fact that learning is shared and of the fact that other people have managed a similar change</td>
</tr>
<tr>
<td>Phase 4</td>
<td>Explaining option of new roles, relationships and adopted measures</td>
</tr>
<tr>
<td>Phase 5</td>
<td>Planning a course of action</td>
</tr>
<tr>
<td>Phase 6</td>
<td>Acquiring knowledge and skills to apply one's plan</td>
</tr>
<tr>
<td>Phase 7</td>
<td>Provisionally experimenting with new roles</td>
</tr>
<tr>
<td>Phase 8</td>
<td>Building skills and self-esteem in the new roles and relationships</td>
</tr>
<tr>
<td>Phase 9</td>
<td>Reintegration to one's life, based on the conditions established by the new standpoint</td>
</tr>
</tbody>
</table>


5. These transcendental assumptions, that must not be mistaken with Kant’s categorical imperatives from which Lonergan radically separates himself, summarize the normative criteria to be followed in each operation of the transcendental method: be attentive (empirical or experience level), be intelligent (intellectual or intelligence level), be reasonable (rational level) and be responsible (moral or freedom level). These assumptions evolved since their initial elaboration to their final version, presented in this article in a literal form as a citation in order to incorporate the intellectual moral or religious conversion in the theological field (Lakeland, 2014, p. 64): be attentive, be intelligent, be reasonable, be responsible, love AND, if necessary, change. No matter the latter consideration, however, we believe that the beauty of the citation does not at all undermine its philosophical value. 6. Initially conceived as a theory that could be applied to non-formal educational contexts, the transformational learning theory has progressively increased its influence in the US and in other English-speaking countries, until it has become the prevailing discourse in terms of the most appropriate adult learning pedagogy. However, this prevalence does not prevent criticism because of the excessive role assigned the cognitive processes that are responsible for learning without an appropriate psychological and biological explanation of said processes (Newman, 2014, p. 346).
insights in the parties’ thinking (Esteban Soto, 2015, p. 253).

The great novelty of insight mediation is its concept of mediation intervention as an interpretative and interactive learning process (Picard, 2016, p. 25), as it explicitly deepens the internal processes that impact the desired cognitive changes. Moreover, this kind of learning does not refer only to the people involved in a dispute, but also to those who conduct the sessions (Picard & Siltanen, 2013, p. 32).

The mediator must facilitate this retrospective task, which means that his/her action might be included in the sphere of reflective practice (Hardy, 2009; Rothman, 2014). The person that conducts the process has a conscientious influence on the parties (responsive intentionality), assuming a facilitating and intervening role, but not a directive one (Melchin & Picard, 2008, p. 100; Picard, 2016, p. 31).

Actually, the mediator cannot do anything for the parties, but the parties are encouraged to reflect on their own feelings, concerns and values throughout the mediation process so that the underlying cause underpinning the conflict can emerge. To this end, there is no rigid predefined structure; instead mediators use skills to reveal what really matters to the parties, facilitate new insights and expand their understanding of conflict, hence, moving forward in the process.

The starting point of this learning process is that conflict is something real that emerges as a result of a decision to defend when valuing a threat. This threat manifests itself in a defense response pattern (Melchin & Picard, 2008, p. 85; Picard, 2016, p. 15). These defense patterns of interaction are interpreted by the other party as an attack, and vice versa, which makes the conflict to escalate. This defense mechanism helps us to protect ourselves, but it also prevents us from opening to new possible alternatives.

This vision of conflict as valuing a threat does not refer to personal values and convictions (which would be equivalent to interests as defined by the linear mediation model), but it responds to a larger array. To better understand this notion of threat, see other papers in this special issue.

This vision of conflict is not incompatible, according to the current state of the theory, with the possibility of a real harming threat (Picard, 2016, p. 27). This statement allows us to place this model within conflict mixed theories according to which «conflicts can occur either at a reality level (real conflict) or at a perception level (perceived conflict)» (Calvo, 2014, p. 44).

Based on this positive view of conflict, it is possible to propose a specific intervention model grounded on four basic principles stemming from the social (and relational) nature of the human being (Melchin & Picard, 2008, p. 82-83):

- Principle number 1: Social (and relational) nature of the human being.
- Principle number 2: Link between valuing and carrying out actions.
- Principle number 3: Conflict emergence due to the perception of a threat.
- Principle number 4: Reflexivity around valuing and deciding opens the door to collaborative resolution of the conflict.

Phases, Techniques and Strategies in the Mediation Process

Based on these principles, developed later to expand the theoretical grounds of the model, a non-linear five-stage process was articulated (Melchin & Picard, 2008, p. 79). Each stage, as shown in Graph 1, responds to different awareness levels of the learning theory: attend to process, broaden understanding between the parties, deepen insights, explore possibilities and make decisions?

Such a nomenclature allows a quick association to clarification phases, preparing the agenda, negotiation of alternatives and decision-making, inherent to the traditional model. However, those who are in favor of this intellective approach avoid the conventional practice of mediation and relate it to Lonergan’s cognitional theory: experiencing, understanding, valuing and deciding (Picard, 2016, p. 117).

To do this, they rely on a long list of tools and techniques that favor change through learning. On the one hand, this is done through general communication skills. Paraphrasing, reflection, reframing, normalization, summary and silence are elements common to any mediation school. More importantly, these tools are put into practice to achieve not active listening but listening to understand. Thus, mediators are encouraged to listen to and ask in a more transparent authentic sense (Picard, 2016, p. 122); otherwise conversation becomes interrogation with a series of stereotyped questions. It is, in the end, an assisted conversation, a «basic human art» (Lonergan, 2004, p. 225).

On the other hand, there are specific tools and strategies in this approach (Picard, 2016, p. 113) that allow us to bet-

---

7 The nomenclature used by the founders of insight mediation corresponds to the final version of the five-stage mediation model. In the previous version, that of 2008, the name of each stage of the process was different (Picard & Melchin, 2007, p. 38); due to its interest it is hereby reproduced as follows: 1) Establishing the Process, 2) Stating Hopes and Problems, 3) Seeking Insight into Interests, 4) Collaborating to meet Interests and 5) Making Decisions. As you can see when comparing both lists, the final version is more didactical and appropriate for dissemination amidst the mediation community.
ter implement the structure of the process. According to the philosophical foundations of this approach, the ultimate goal of the process is to favor a collaborative resolution of the conflict thanks to a better understanding of it, which occurs through insight. Insights «do not fall from the sky, nor do they constitute a deliberative or capricious construction of our mind, but they emerge as answers to specific questions that come from a specific field of personal experience» (Melchin & Picard, 2008, p. 94). The ultimate goal is that the insights emerging from dialogue should enable us to find new interaction patterns to improve a conflict situation (Picard, 2016, p. 17).

Therefore, the emergence and use of insights occur throughout a learning conversation. The skills used in this core part of the process aim at deepening understanding of the dynamics of the concerns and threats that affect the parties (Picard & Jul, 2011, p. 153). It is not an attempt to gain more information about the conflict in order to get objective data for a future negotiation, but rather to improve understanding around the threats that animate the conflict.

Likewise, the idea is to verify how the feelings that are associated to a threat affect the relationship and the communication style used during the conflict. According to Sargent and Bartoli (2015, p. 62), a person’s attitude towards conflict is conditioned by his «emotional memory». Emotional memory is influenced by how the person values and decides to act in conflict.

The strategies used during the learning conversation seek, through concrete interventions and questions, to bridge the emotional memory of the parties with the concern or value at stake in order to restate their content. Similarly to reformulation, restating allows the parties to build trust and feel understood when they mention, verbally or non-verbally, what matters to them.

Other strategies allow a temporary linking between events in the past and their corresponding responses in the present. Given that conflict emerges from the perception of threat to something that matters, these kinds of questions or statements might create uncertainty and facilitate a cognitive change in both parties. Similarly to the emergence of the first signs of narrative acknowledgement or destabilization, typical of other schools, this schools aims at breaking one’s certainty about current behaviors that hinder a positive resolution of the conflict.

Once uncertainty about what we believed to be immutable in our behavior is introduced, curiosity about the other person arises. The mediator must focus on the present moment (Picard, 2016, p. 24) to identify the subtle changes that might occur after an intervention.

On the other hand, the opposite strategy allows us to de-link any wrong or incomplete piece of information that, as a prejudice, is taken by each party to the mediation process. As stated above, one of the basic principles of the model is that our cognitive processes, in which we come to know, attribute significance through valuing and decide to act, are functionally related to the actions we carry out. This implies the existence of numerous prejudices about the expectations of the mediation process consistent with one’s personal value system. The emergence of uncertainty is not only useful to orient the process for constructive way out, in which the parties come up with their own solution to the problem, but it also allows them to abandon actions that would further entrench the conflict (Picard, 2016, p. 142).

The last relevant strategy is verifying, which constitutes a key operation of consciousness (Picard, 2016, p. 139). Mediators use implicit, tacit, curious and non-directive questions (Sargent, Picard & Jul, 2011, p. 361) to verify whether reflexivity occurs in the parties. This reflexivity, spurred by curiosity, is conditioned by his «emotional memory». Emotional memory is influenced by how the person values and decides to act in conflict.

The strategies used during the learning conversation seek, through concrete interventions and questions, to bridge the emotional memory of the parties with the concern or value at stake in order to restate their content. Similarly to reformulation, restating allows the parties to build trust and feel understood when they mention, verbally or non-verbally, what matters to them.

Other strategies allow a temporary linking between events in the past and their corresponding responses in the present. Given that conflict emerges from the perception of threat to something that matters, these kinds of questions or statements might create uncertainty and facilitate a cognitive change in both parties. Similarly to the emergence of the first signs of narrative acknowledgement or destabilization, typical of other schools, this schools aims at breaking one’s certainty about current behaviors that hinder a positive resolution of the conflict.

Once uncertainty about what we believed to be immutable in our behavior is introduced, curiosity about the other person arises. The mediator must focus on the present moment (Picard, 2016, p. 24) to identify the subtle changes that might occur after an intervention.

On the other hand, the opposite strategy allows us to de-link any wrong or incomplete piece of information that, as a prejudice, is taken by each party to the mediation process. As stated above, one of the basic principles of the model is that our cognitive processes, in which we come to know, attribute significance through valuing and decide to act, are functionally related to the actions we carry out. This implies the existence of numerous prejudices about the expectations of the mediation process consistent with one’s personal value system. The emergence of uncertainty is not only useful to orient the process for constructive way out, in which the parties come up with their own solution to the problem, but it also allows them to abandon actions that would further entrench the conflict (Picard, 2016, p. 142).

The last relevant strategy is verifying, which constitutes a key operation of consciousness (Picard, 2016, p. 139). Mediators use implicit, tacit, curious and non-directive questions (Sargent, Picard & Jul, 2011, p. 361) to verify whether reflexivity occurs in the parties. This reflexivity, spurred by curiosity, is conditioned by his «emotional memory». Emotional memory is influenced by how the person values and decides to act in conflict.

\[ \text{Graph 1. Phases of the insight mediation process.} \]


---

8 Since the mid 70’s of the 20th century, many empirical evidences have been garnered about the structure of the mediation process (Touzard, 1981, p. 217). The configuration in stages is a recurrent element of modern mediation. The alternative models to the Harvard School have tried to distance themselves of this trend and focused on much more flexible open processes without rigid structures. However, the difficulties of this option to conduct the process (or even to learn the model for those who first approach models) have obliged scholars to include a more formal intervention scheme or a declaration of the intervention principles that regulate the process in the most updated transformative or narrative mediation manuals (Bush & Folger, 2004, pp. 224-226, Winslade & Monk, 2008, p. 3, Cobb, 2013, p. 222).
at the operations of consciousness (particularly valuing and decision-making). As parties reflect on what really matters to them, the threat feeling is reduced and they open up to understanding the other party’s perspective.

But the goal of verifying is not assessing what we know but making sure that the narratives and social normative relations carried by our feelings have been properly understood (Picard, 2016, p. 41). Based on this new understanding it is possible to value, decide and act. For this reason, verification is a key strategy in the learning process that insight mediation implies.

It is worth noting that insight mediation has similarities with the most well known schools. The communication techniques that are used are practically the same as those used by narrative and transformative mediators. However, their orientation is very different as it goes more in depth in the mental processes of the human being involved in a conflict. Its theoretical bases condition the goals to be achieved with each technique, and its strategies accompany the goals foreseen for each stage; in this regard, it might be more difficult to assimilate by those who are in favor of a more traditional view of mediation. To better understand the method, Picard (2016, pp. 136-137) has recently proposed numerous examples of questions that allow exploring the threats animating conflict. This is a way to ensure these teachings are disseminated beyond the philosophy that underlies their theoretical foundations.

Conclusions. Insight Mediation as an Autonomous Mediation School

The approach developed by Picard and Melchin is, above all, innovative. Its theoretical foundations and work strategies have determined a conflict resolution model that extricates from the traditional assumptions and treads into the field of empirical experience (Price, 2012, pp. 6-7). Its founders, however, have always rejected any intention to establish it as a definitive model and have always defended the compatibility between the other options available. As stated by Munuera (2014, p. 105), «the mediator must conduct the process in an ethical fashion, following the theoretical guidelines consistent to the chosen school».

This statement is in agreement with the consolidation of this approach and its growing relevance in the English-speaking world. Initially, Picard defined herself in a first book with content not far removed from the traditional linear mediation model, as a facilitation-oriented mediator with a barely directive style (2002a, p. 10). Since then and over the last decades, a remarkable evolution has been observed that contradicts some of the considerations about insight mediation affiliation9.

Thus, the fact of a having a group of professionals that somewhat continuously share a set of common knowledge, skills and attitudes (Moore, 2014, p. 46) is the main criterion to justify its recognition as a school. Additionally, the reinforcement of its theoretical frame of reference and increased level of experience are due to theoretical research and professional practice for over a decade.

The following indications corroborate the argument explained above. At the author’s Alma Mater, through an academic program offered by Carleton University, Insight Mediation Coaching, theoretical and practical contributions are constantly proposed to complete proposals and create a real conflict insight theory10. And another premier center, the Insight Conflict Resolution Program at George Mason University, is developing concurrently new applications to the insight approach, such as the design and application of an Insight skills training project specifically prepared for the law enforcement field (Price, 2016). In fact, the degree of complexity of some of the new concepts might be surprising, as in the case of the creation of a mathematical equation11 aimed at explaining the interrelation between the variables existing in the conflict dynamic (Price, 2013, p. 121).

Moreover, the cognitive dimension that prevails in this view has influenced alternative conflict resolution techniques, and it was determined that there is full compatibility between the four inspiring principles of the insight approach and the

9 This reason behind this is the incorporation of insight mediation to the different approaches that coexist in process-focused mediation, according to the general classification established by Moore of Process-focused schools, Relationship-focused schools or Substantially-focused schools (2014, pp. 46-60). 10 This is a theory that uses its own sources to come up with a conflict theory, as it is the case of Burton’s needs theory, many followers of the schools resort to in order to explain the origin of conflicts. Unlike other proposals based on psychological or sociological assumptions (Maslow, Galtung) his study of human needs is of an economic nature. From this perspective, Burton intuited that the non-satisfaction of certain material and immaterial goods was the origin of variable intensity disputes and conflicts between people and communities. According to his detractors, who place him with the neoliberal Anglo-Saxon stream, Burton exemplifies the way in which “the ensemble of more opulent countries uses to face the world’s socioeconomic and political reality and the own social reality” (Kehl, 1992, p. 220). 11 According to this mathematical equation, a novelty in conflict resolution, the comprehensive analysis of a specific human behavior conflict (CB) is equal to (\(\frac{VtDd}{N}\)) to a fraction whose numerator calculates the product of a concrete assessment of a value threat (Vt) as well as the decision defended when facing a this threat (Dd) because of the narrative generated as these variables (N) occurred, and whose denominator represents the institutional context (I) in which the conflict occurs. The graphic representation of the equation is as follows (Price, 2013, p. 120):
psychological dimension that is present in any international negotiation (Sargent & Bartoli, 2015, pp. 69-70).

More recently, Picard has published an updated, revised version of insight practice and has presented the last experiences that bear witness to the reinforcement of the model that has been adopted by different people and institutions (2016, pp. 147-163).

To sum up, and even if the debate on this approach having an autonomous consideration is still open (Picard, 2016, p. 52), the fact is that there is enough evidence for insight mediation to be considered as the fourth main mediation school in the international sphere. A comparison between the different schools is more than enough to find out each of their hallmarks (Waxman, 2009), but we believe that it is more appropriate to focus on characteristic quality, which is none other than curiosity. Citing, the famous Cohen-Émerique quote, we can conclude that curiosity in mediation consists in a personal effort «to discover what makes sense and matters to the other, to offer a platform to express the depth of roles, status, and beliefs, always interpreted in a unique and individual fashion (Tabares, 1996, p. 146).»

References

Insight mediation: a reflective and pedagogical model to address conflicts

- Pérez Varela, V. M. (2002). La enseñanza de la deontología jurídica. In V. M. Rojas (coord.), La enseñanza del Derecho en la Universidad Iberoamericana (pp. 421-443). Ciudad de México, Mexico: Universidad Iberoamericana A.C.


© Santiago Madrid Liras and Mónica Rodríguez-Sedano