

The Origins, Principles and Practices of Insight Mediation

Orígenes, principios y prácticas de la mediación insight

Cheryl Picard

Carleton University, Ottawa, CANADA

Received: 29/01/2017

Accepted: 15/02/2017

Abstract: In this essay, the author discusses the origins, principles and practices of Insight mediation. She brings to light what distinguishes Insight mediation from other mediation models through an examination of three key principles and practices, and ten prominent Insight interventions. The author contends that the power of Insight mediation lies in using a relational learning approach to intervene in conflict instead of relying on individualist views of negotiation and problem-solving methodologies. She also contends that the depth of Insight mediation's theoretical foundation, along with practitioners learning to be self-reflexive about their role, enables Insight mediators to identify what they are doing, and why, allowing them to use more varied, creative and flexible interventions than would be found in prescriptive-type mediation models. Insight mediation makes room for the power of curiosity and authentic engagement as drivers of change.

Resumen: En este artículo, la autora habla de los orígenes, principios y prácticas de la mediación insight. Presenta lo que distingue a la mediación insight de otros modelos de mediación y examina tres principios y prácticas, y diez intervenciones insight fundamentales. La autora opina que el poder de la mediación insight reside en la utilización del enfoque de aprendizaje relacional para intervenir en un conflicto en lugar de basarse en visiones individualistas de negociación y en metodologías de resolución de problemas. Opina también que la profundidad de los fundamentos teóricos de la mediación insight, junto con el aprendizaje de los profesionales para ser más reflexivos sobre su papel, les permite a los mediadores insight identificar lo que hacen y por qué lo hacen, y los habilita para realizar intervenciones más variadas, creativas y flexibles de las que se efectúan según los modelos de mediación prescriptivos. La mediación insight da lugar al poder de la curiosidad y la interacción auténtica como motores del cambio.

Keywords: insight, conflict, insight mediation, insight approach to conflict, learning.

Palabras clave: insight, conflicto, mediación insight, enfoque insight del conflicto, aprendizaje.

Dr. Cheryl Picard

Professor emeritus Carleton University, Ottawa Canada, is an educator, author, mediator and conflict specialist who now lives in Prince Edward Island and offers conflict consulting services through, Cheryl Picard & Associates. Over her 40-year career, she has helped to establish university, community, school, restorative justice, church, and workplace conflict resolution and mediation programs in Canada, Cuba, Bermuda, and Trinidad and Tobago. Cheryl is the author of four books, the most recent «Practicing Insight Mediation», focuses on the skills of mediation and conflict resolution using the insight approach to conflict.

Contact: cheryl@insightapproach.ca

What is Insight mediation? What makes it different from how mediation is being practiced today? In what way is it new and fresh and thus deserving of attention from the wider mediation community? My task in this paper is to set out the key principles and practices of the Insight approach to mediation so that readers will become as excited as we are about it. I begin with a précis of how Insight mediation began.

The Origin of Insight Mediation

The story of Insight mediation begins in the late 1990's when, after twenty years of practicing mediation and teaching others to mediate, I began to question what it was that I was doing, and if I was achieving desired outcomes. This questioning was further triggered by the uncertainties raised by Bush and Folger in their seminal book, *The Promise of Mediation* (2004). Many of their doubts about the value of directive and problem-solving mediation resonated with me and further motivated me to learn all I could about other mediation styles and approaches. I began by reading journal articles and books on conflict resolution and mediation. I attended lectures led by individuals advancing thought provoking ideas about conflict intervention.¹ And, I engaged in discussions with my circle of mediation colleagues and friends to learn more about the impact of mediation more broadly, and about «me as mediator» more specifically. Utmost in my mind was whether as mediators we really were helping conflicting parties, or whether we were being naive about our lofty goals. This questioning proved both difficult and personal, taking me on a learning journey over many years; a journey that continues today. My desire to know led to investigating the many meanings of mediation in my doctoral dissertation, and to authoring both a theoretical and a skills-based book, along with various articles on the theory and practice of Insight mediation (Melchin & Picard, 2008; Picard, 2000, 2003a, 2003b, 2016; Picard & Jull, 2011; Picard & Melchin, 2007; Picard & Siltan, 2013; Sargent, Picard, & Jull, 2011).

Some of the initial difficulty in knowing «what I did when I mediated» was due to having internalized the principles behind my actions; I never questioned why I acted as I did, I just did it. In addition, and like many other mediation practitioners in the 1970s, my mediation skills were self-taught and, in my case, influenced by my work as a physical education teacher, police social worker, and work with young offenders. As conflict practitioners in that era we tended to intervene by «the seat of our pants» and learn from our experiences. That was okay for us given that we thought mediation was an art, not

a science. Furthermore, we were motivated by deep values embedded in the belief that our efforts as conflict interveners comprised a social movement aimed at improving dysfunctional institutions of justice and returning communities to places where people cared for each other and to a world that was at peace instead of at war.

It was from these beginnings that my quest to understand who I was as a mediator originated. As I tell it in *Practicing Insight Mediation*:

It was to my friend and colleague from Saint Paul University in Ottawa, Dr. Kenneth Melchin, that I turned. Over lunch I spoke of my interest in learning more about my mediation beliefs and style. His response was an emphatic, «Cheryl, I know what you do when you mediate, you mediate to get insights.» Although at the time this seemed obvious and not all that revealing, by the end of our lunch we had made a commitment to engage in a joint research project designed to bring to the surface the underlying theory, values, and principles behind my mediation practice. We agreed that our theoretical guide would be Bernard Lonergan² and his theory of cognition published in the 1950s in a manifesto called «Insight». We chose Lonergan because Ken was convinced that mediation was all about «getting insights.» (Picard, 2016, p. 8).

Ken and I decided the best way to begin our investigation was to examine what I was doing when I mediated. To this end, we videotaped in the studio a simulated hour-long mediation of a co-worker dispute between «Danny and Teresa». This video became the focal point of our analysis. To play the parts of the conflicting parties we chose a female mediator not trained by me and a man with no mediation training but with knowledge of Lonergan's work. A graduate student of Ken's studying Lonergan and ethics became the fifth research collaborator. Our team examined the videotaped mediation session over the course of a year seeking answers to questions about why both the mediator and the parties were acting as they did. Then Ken and I did further data analysis and together «articulated a theoretical explanation for actions that hitherto had been more intuitive and reactionary than understood and intentional» (Picard, 2016, p. 9).

We discovered that not all of the interactions noticed in the video were being discussed in the mediation literature. It was these new interactions that captured our curiosity and where we focused our attention. Given that one of our aims was to engage at a theoretical level with other conflict theorists and mediation practitioners, we needed to distinguish

¹ For instance, I heard Michael Lang talk on reflective practice; Joe Folger and Baruch Bush on Transformative Mediation; John Winslade and Gerald Monk on Narrative Mediation; and Leonard Riskin on mediator's orientations, strategies and techniques. ² Bernard Lonergan (1904-84) was a Canadian Jesuit priest and philosopher who, among other things, elaborated ideas on cognition and insight. The theoretical underpinnings of insight mediation are strongly influenced by Lonergan's work on how humans learn and come to know something to be true.

what we were seeing from what others were writing about. Naming the approach «Insight mediation,» to distinguish it from interest-based (Fisher & Ury, 1981), transformative (Bush & Folger, 2004), narrative (Winslade & Monk, 2000), evaluative (Riskin, 1996) and other mediation models, came from using Lonergan's work on learning and the power of insights. Concepts of prominence were also given names to distinguish them from similar words with different meanings, and to enable us to talk about and teach these new concepts to others with a level of consistency. Two of these terms, cares and threats-to-cares, are particularly central to Insight mediation theory and practice, so I will say a few words about them now.

The word «cares» was chosen to convey the deep and complex nature of values and valuing that occurs in conflict. Using cares to distinguish how the word values is used in everyday conversations helps emphasize that cares are about the things that matter to us and that we care deeply about them. Cares are both personal and relational; they animate our lives and call us to action. Cares are experienced as feelings that shape our actions and decisions, actions and decisions that come from valuing not only our own desires and feelings but also those of others (Melchin & Picard, 2008, pp. 70-72). Valuing is not only personal and relational, it also assigns worth to patterns of social relations. Understanding that values exist at distinct levels ranging from the personal to the social comes from Lonergan, and is at the very heart of Insight mediation practice (Picard, 2016).

The term «threat-to-cares» was created to denote the experience of our cares being threatened, which is how conflict is defined in the Insight approach. Insight practitioners seek to discover parties' threats-to-cares because they hold the key to new and less threatening interactions. Threats-to-cares are rarely discussed between parties, or when they are shared they are unlikely to be heard because parties are busy protecting what matters to them. Insight mediators draw out the threats-to-cares through deepening conversations to generate new insights that help parties understand each other in less threatening ways freeing them to search for less conflictual decisions.

Our confidence in the distinctive nature of other interventions we had noticed led us to name them too. These interventions are now referred to as «insight skills», which I elaborate upon later. They include: responsive Intentionality, recognizing feelings as carriers of value, deepening the learning conversation, differentiation between threat-to-cares and defend stories, selective paraphrasing, framing threat-based questions, asking about hopes, exploring meaning making and interpretation, linking, delinking and verifying, and finishing and using.

Subsequent to this initial inquiry in 2001, additional practice-to-theory and theory-to-practice research has been undertaken. Our early work and this new research connect insight mediation practice to broader theories of social action and change providing the confidence to talk about the value of Insight mediation in a variety of conflict situations. The articles in this special issue further articulate what we now know.

The Principles Behind the Practice of Insight Mediation

Returning to the initial question about what Insight mediation is, and what makes it different, begins with how conflict is defined. Simply put, Insight mediators understand conflict behavior as defend responses to apprehensions of threat. This definition is fundamentally different from those where conflict is viewed as a struggle over claims to scarce resources, or the incompatibility of goals, positions, needs, status and the like (Deutsch, 1973; Coser, 1968; Burton, 1990). Insight advocates hold that it is not resources or incompatible goals alone that create conflict; they often exist without conflict ensuing. Instead conflict emerges, escalates and is sustained through the discernment of threats-to-cares, followed by the decision to defend and the ensuing patterns of interaction. How mediators define conflict influences how they view their role and the actions they will take. Mediators trained in other models are likely to notice differences in my discussion of prominent mediation interventions later in this essay.

A second aspect that differentiates Insight mediation from other mediation approaches is that instead of viewing mediation as a problem solving or settlement process per se, conflict resolution is achieved through the process of learning more about ones self in relation to others; learning is what releases conflicting parties from threat. Lonergan (1992), the theoretical partner in the Insight approach, and Jack Mezirow (1991), a leader in the field of transformative learning, both say that a condition of being human is the drive to understand the meaning of our experiences; being human is about wanting to know. It is this strong desire to understand everyday interactions that produces the curiosity an Insight mediator works to release through the mediation dialogue.

Learning involves more than the passive reception of information. It is linked to the way we use our minds –to the flow of conscious operations that moves us from coming to know to deciding to act (Price, 2013). It is a process in which we answer questions by engaging in seven different conscious operations: 1) *experiencing* (taking account of the information received) 2) *understanding* (making-sense of information received) 3) *verifying* (finding out if what I now know is correct) 4) *valuing* (determining the significance of the information) 5) *deliberating* (generating options for re-

sponding) 6) *evaluating* (determining which option is best) and 7) *deciding* (committing to a course of action) (Price, 2013). These conscious operations are cyclical. They are cumulative and progressive. They involve looping back from the operation of deciding to the operations of experiencing, understanding, verifying, valuing, then back to decision and action, then back again to experiencing, understanding, verifying, valuing, and so forth in a continuous loop that generates interaction and meaning (see J. Price this issue). At times we may be cognizant of these operations, but most often they happen in the background of our minds. Paying attention to them promotes learning and sparks insight— that proverbial light bulb illuminating our thoughts when our curiosity hits upon the answer to our questions. The learning that occurs when we pay attention to our minds can be transformational, not only because it changes what we know but because it so often also alters our feelings and relationships. The role of an Insight mediator is to help parties gain insights into how they are using their minds when they are locked in conflict. This stimulates a reflexivity that can transform conflicts and support parties as they move toward less threatening possibilities for engaging with one another. With conflict so common in our lives the learning that occurs through the Insight approach holds promise for better and wiser decisions to be discovered in a range of conflicts.

A third factor distinguishing Insight mediation from other mediation approaches, perhaps most notably interest-based (Fisher & Ury, 1981) and evaluative (Riskin, 1996), is its relational view of social action and interpretive view of communication. Together these views conceive of human beings as social actors who live within a network of relationships that form their identity and influence their actions. Humans come to understand the world through the culmination of life experiences over time, in other words, our past acts on our present. Knowledge acquisition and identity formation, referred to as social cognition, emerges from observing others within the context of our social interactions and experiences, and from imagining ourselves as others see us. Social cognition guides our actions, interactions and relationships with others; actions that become so habitual they become the unconscious rules by which we live our lives and how we think others should live their lives³. In conflict situations, when

others do not act toward us as we expect, we conclude their contrary actions are intentional.

Contrasting the above relational view with the individualist view that undergirds interest-based negotiation and mediation helps explain why Insight mediators act differently. Here is how. An individualist view argues that we are the «authors of our own destiny,» and that we can, and do, act independently of others; and that we are rational decision-makers free to pursue our own interests (Sargent et al., 2011). This is why interest-based mediators work so hard to discover conflicting parties interests and then to generate options that satisfy them (Fisher and Ury, 1981). Their role is to foster collaboration and compromise. In contrast to this, Insight mediators see their role as changing defend patterns of interaction by reducing threats through learning.⁴ Let's look more closely at this last point.

As said previously, conflict is about experiencing threat to the extent that our «habitual» defend responses are engaged to protect us against anticipated unwelcome and dire outcomes. When decisions to defend are interpreted by others as a threat, it generates a defensive response from them. When left unchecked, each other's defend responses create defend patterns of interaction; patterns that serve to escalate and sustain conflict. It is by changing these defend patterns that conflict will change. Of importance here is that people's interests, values, goals and beliefs do not need to change in order for their conflict to change. What does need to change is the way they are interacting. In fact, a firmly held belief underpinning an Insight mediator's work is that it is not incompatible goals that create conflict; incompatible goals exist all the time without conflict. Conflict is created through the discernment of threat, the decision to defend, and the interactive pattern of decision-making that characterizes it. This is why an Insight mediator is less focused on collaboration or compromise than on discovering blocks to learning and opening paths for new insights to emerge that can alter experiences of threat. It is also why they engage parties in a learning dialogue to acquire new insights about themselves in relation to others. It is from these insights that parties find the motive to search for new ways to interact that will be less threatening.

Insights are elicited from curious, non-judgmental listening and intervening focused on what parties believe they

³ Camaron Thomas' new book, *The Wisdom of the Brain: Neuroscience for Helping Professionals* (2016) provides a comprehensive look at human nature through neuroscience and its practical applications for professionals who work in psychology, social work, education, personal wellness and of course mediation. While offering an in-depth and different look at why people behave as they do, she supports many of the ideas we advocate in the Insight approach, most especially that our thinking is grounded in patterns that motivate and guide behaviour; that everyone's reality is different; that through experience we learn to reflexively read others and then modify our behaviour based on the reactions of others; that through learning behaviours change; and that conflict is about the quality of relationships more than interests alone. ⁴ I did not allot much space in this article to expand upon the differences between individualist and relational views, nor have I contrasted different mediation approaches in any depth, as I have done this at length elsewhere. See for instance: Picard, 2016, pp. 48-52; Picard & Melchin, 2003; Sargent et al, 2011; and Melchin & Picard, 2008.

know to be true, what cares they are protecting, and what led them to decide it was best to respond as they did. Expanding what is known about how each party understands the situation, how they are valuing, their cares, and their decisions about how best to act is what can reduce real or anticipated threats, which in turn reduces the need for defend patterns of interaction. No longer being required to defend allows the natural curiosity rooted in all humans to emerge. It is this curiosity that generates questioning and learning by the parties themselves, and what enables them to together seek ways to resolve their differences, or at least live more peacefully with them (See M. Price this issue).

Understanding social action as relational; conflict as defend responses to experiences of threats-to-cares; and mediation as facilitating learning gives rise to the following statement of practice that guides Insight mediators:

«Conflict emerges when individuals or groups experience threats to their desires and needs, expected patterns of cooperation, or deeply held judgments about social order that lead them to respond defensively. Defend responses feel like threats to what matters to others and they, too, respond defensively thus creating the defend patterns of interaction that sustain the conflict. Through deepening conversations that focus on knowing and valuing, Insight mediators assist the parties to gain insights that produce new understandings and alter defend patterns of interaction so learning and change can occur» (Picard, 2016, p. 80).

With the above statement of practice in mind, let's turn to an examination of the method of Insight mediation.

The Insight Mediation Method

Insight mediators generate curiosity in parties from the new insights produced by skillfully facilitating a dialogue that surfaces parties' cares and how they interpret the intentions and actions of each other to be threatening. During this dialogue they listen for information that seems new or different and then ensure that it has been heard and correctly understood by the parties. Their questions are structured to foster new interpretations, new meanings, and new connections that make space for parties to seek new ways of acting toward each other. As you read on about this approach, keep in mind that while the process and skills may appear similar to other mediation approaches, what informs Insight mediation practice is the

knowing, valuing and deciding that created the conflict, rather than a search for common ground, mutual interests, or identifying unmet needs and goals.

The process of Insight mediation has five non-linear phases that occur after the mediator has determined the situation is appropriate for mediation through pre-mediation. They are: 1) attend to process 2) broaden understanding 3) deepen insights 4) explore possibilities and 5) make decisions. After completing these five phases, a post-mediation or follow-up phase occurs⁵.

As with most mediators, insight mediators are not decision-makers. Instead any outcomes reached are consensual and fashioned by the parties. The sessions take place in neutral and private locations, and are fairly casual in nature given that they are not inhibited by procedural rules or precedent as would happen, for instance, in a court of law or in an arbitration hearing. The process is creative and flexible allowing the mediator to take into account the nature and needs of all parties. The distinctive nature of Insight mediation lies in the Insight mediator's interventions. Let's look more closely to see how.

Insight mediators use skills that will be familiar to most conflict and mediation practitioners, among them: active listening, paraphrasing, open questions, reflecting emotions, and being elicitive. However, because helping conflicting parties learn more about themselves in relation to others is considered a valuable and lasting way to resolve differences, how these skills are employed does differ from mainstream approaches. I elaborate on this point in the next section. For now, I want to point out that thinking about conflict intervention as a learning enterprise does not imply that Insight practitioners think resolving problems is unimportant. Of course it is. What we are saying is that effective and lasting solutions to conflict will best be found through learning something new.

Prominent Insight Mediation Interventions and Communication Skills

Ten prominent Insight interventions and communication skills are discussed in this section. By prominent, I do not mean that they are necessarily exclusive to Insight mediation –other mediators could do something similar. The interventions and skills I will be discussing are considered prominent because they are so central to an Insight mediator's work. Insight advocates believe that the extent to which Insight skills and strategies have been de-constructed, named, described and applied has much to offer the wider mediation community. Confidence in the value of this work is heightened by the

⁵ Readers interested in a full explanation of each phase of Insight mediation will find it in my book *Practicing Insight Mediation*. Worth noting now is that while there are similarities in process, what happens in each stage is notably different.

fact that they are concretely linked to social and psychological theories about human behavior (Price, 2017; Sargent et al, 2011; Thomas, 2016).

All Insight interventions begin with the skill of «noticing», which involves an explicit and cultivated attention to the parties on their own terms. In Insight mediation training, we make this point loud and clear – «notice, notice, notice,» is our mantra. This communicates the importance of paying close attention to how each party responds to what is said and done. Noticing when parties are using defend-type responses, such as overly explaining; trying to convince or persuade; becoming more closed and less curious, are forerunners to becoming curious about the response. After noticing the behavior, the intervener would name what was seen and then follow-up with open, curious questions about what lies beneath the defend response in order to surface the threat. It could sound like, *«You have mentioned that point numerous times now which tells me that you really want him to understand something, what is it that he is not hearing?»* In this example the intervener with curiosity notices and names the defend response, inviting the parties to also become curious. Once that reflexivity is generated, parties have an opportunity to discover new possibilities in how they know, value and decide about the conflict.

Insight mediators not only pay close attention to noticing how parties respond to what they hear, they also pay close attention to whether new insights are emerging, or whether parties are becoming increasingly entrenched. Because they understand that actions are linked to interpretation and meaning-making, Insight mediators are intentional about discovering if parties interpretations accurately reflect each other's intentions. Attentive noticing elicits the curiosity needed to help parties make sense of what before may have made little or no sense.

The Insight mediation interventions and skills discussed in this essay include: 1) acting with responsive Intentionality 2) recognizing feelings as carriers of values 3) deepening the learning conversation 4) differentiating between threat-to-care and defend stories 5) selective paraphrasing 6) asking threat-based questions 7) asking about hopes 8) exploring meaning making and interpretation 9) linking, delinking and verifying, and 10) finishing and using.

1. Acting with Responsive Intentionality

Responsive intentionality is a term created by Insight mediation founders to help reinforce two important principles of Insight practice (Melchin & Picard, 2008, p. 92; Picard, 2016, pp. 31-32). First, that the mediator intervenes with informed intention that is in response to a party's words and actions. To say this differently, the mediator responds to the party's consciousness, not the mediator's. Second, that the

mediator's actions are informed by theoretical and practical knowledge that helps predict why a particular intervention would be useful to a party in that particular context and at that point in time.

Responsive intentionality implies that the mediator is using her mind to be curious about the party, rather than asking the party to respond to the knowing and valuing in the mediator's mind. It underscores the principle that Insight mediators do not lead parties in their story telling, nor do they lead them to solutions they think would work.

Acting with responsive intentionality calls to attention that the mediator is not simply following prescribed steps or acting in a formulaic way, but has knowingly and intentionally chosen an intervention based on what she has learned about human interaction and conflict. By allowing the parties to lead the dialogue while they respond to it with interventions that are theoretically and practically sound and on topic, an Insight practitioner is being responsive and non-directive. Where settlement driven mediators might re-direct a conversation in search of compromise or collaboration, an Insight mediator will deepen it in search of new meaning and learning. Their interventions are in response to, and in service of, the parties' own lines of curiosity.

2. Recognizing Feelings as Carriers of Value

Another key concept impacting Insight mediation practice is based in Lonergan's work on the function of feelings (Melchin & Picard, 2008, pp. 84-90). Simply put, feelings communicate that something is important to us. They often arrive from past experiences and form what we judge to be important and what we expect should happen. Feelings and the values that they point to establish patterns of social organization without our necessarily realizing it, which is why Insight mediators explore what parties' feelings are about, rather than trying to put the lid on them for fear they may get in the way of resolution.

Because feelings and values are connected to past experiences and anticipated future outcomes, sometimes the only way to make sense of the intensity of a current feeling or strong opposition is to discover if similar events happened in the past that now lend certainty to an unwanted future. Insight mediators direct their curiosity toward learning how feelings are influencing current conflict interactions, especially when resistance to learning and change appears to make no sense. Making sense out of interactions that are making little or no sense requires that the mediator be curious about what parties now know, and what makes them so certain they «know» all there is to know. This line of inquiry, called «deepening the learning conversation», can disrupt the certainty of a party's knowing and make room for new insights to emerge.

3. Deepening the Learning Conversation

Deepening the learning conversation is a complex intervention that occurs as a conversation involving a number of communication skills aimed at eliciting an understanding of the deeper cares, threats, emotions and relations that underlie a conflict. Deepening is an approach that sets Insight mediation apart from transformative (Bush & Folger, 2004) and narrative mediation (Winslade & Monk, 2000) models even though all three hold similar views about the relational nature of conflict⁶.

The purpose of deepening is to expand what parties currently know about the threats to their own, and to each other's, cares. Expanding what is known leads to genuine curiosity about each other's intentions and actions. It is this curiosity that expands what is known and leads to the discovery that defending against threat is not the only decision available in their interpersonal relations.

The decision to deepen the learning conversation is done with intention that comes from noticing when, for instance, the way a party is speaking has become more defensive, escalated or emotional. As an example, the mediator notices that one party has become fidgety and is increasingly more closed to listening. This alerts her that the party is becoming more fearful and this arouses her curiosity into the party's feelings. She reflects what she noticed: *«I am noticing that you seem more anxious than you were before.»* To verify this, the mediator asks a purposefully closed question: *«Am I right about this?»* If the mediator's hunch is confirmed, a follow-up question is asked, *«I wonder if now would be a good time to explore what this is about?»* Upon verification, the mediator begins the process of deepening the learning conversation.

Knowing that deepening involves talking about things that really matter to a party and that this can be difficult, the mediator will often begin by first «asking permission» and then being «transparent» about what is going to take place. *«Given that what you have been telling us is bringing up strong feelings means it is important to you. For that reason we should take the time to slow down and deepen the conversation to be sure we correctly understand what you want us to know. Are you ok if we do this now?»* Being «transparent» about the process involves the mediator informing parties that she will be talking with one party quite extensively, and why. It also provides the opportunity to make suggestions for how the listening party can make this exchange productive for them too. *«Ted, I will be exploring more deeply what Jonas wants you to know, and this could take some time. While he and I are talking I am going to ask you to particularly listen for*

anything new or different, as it will be this information that can alter perspectives and lead to change. After we finish talking, I will ask you to tell us what you heard Jonas say is important to him. When I am sure that we both understand him fully, I will give you a chance to talk about what you really want Jonas to know about what matters to you. As with you, I will ask Jonas to summarize what he heard you say to make sure he has understood you correctly.»

After ensuring that the parties understand the intervention about to take place, the mediator begins deepening the learning conversation by asking Jonas an open, broad and curious question, *«Jonas, what do you want Ted to know about what matters to you that up until now has been hard to get across to him, or, that you think he does not yet understand?»* The answer to this initial question begins to surface what Jonas wants Ted to understand about what matters to him and what he values.

Upon verifying that Ted understands Jonas' answer to this initial question, the mediator will continue to deepen the conversation using a combination of listening responses and curious questions. Paraphrasing what the mediator has heard followed immediately by a curious question is called «bridging» by Insight mediators. Asking a further question based on the party's answer to the question before is a «layered-question.» This sequence of asking layered questions is metaphorically referred to as «peeling back the onion.» When deepening the conversation, the mediator continues this pattern of bridging –paraphrasing what was heard followed by a layered question– until there are no more questions to be asked. When this happens, the mediator has «finished» deepening and moves on to «use» the information learned to make sense of the conflict interactions in a new way (more about finishing and using shortly).

I want to stress that the questions used to deepen the learning conversation stem from genuine wondering, and so are intentionally open and non-judgmental. Open questions will start with what, where, who, when, how and, to a lesser extent, why. By their very nature they evoke curiosity; a necessary component for parties to become open to learning more about themselves and others.

During the deepening process Insight mediators will also ask parties to talk about what they thought the other person would have done differently, or not done at all, if they really did not intend to hurt each other. The focus here is on discovering what was expected but did not happen and how this non-action was interpreted. Questions about normative patterns of interaction might include: *«What*

⁶ For a discussion of differences between insight, interest-based, narrative and transformative approaches, see Melchin & Picard 2008, pp. 43-48; Picard 2016, pp. 48-56; Sargent et al, 2011; and Madrid Liras, in this issue.

did you expect that a supportive team player in your office would do in that situation?» «If he really was not wanting to jeopardize your relationship with the team, what would he have been sure to do?» «What were you looking for him to do to show you he was sorry about what happened?» Insight mediators also ask what the other party would need to do differently for a party to no longer feel threatened. For instance: *«Talk a bit about what you imagined he would do differently to show you he was not intending to hurt your chances for promotion.» «What will you be looking for from him in the future to lessen the worry you are feeling now?» «When you see each other tomorrow how could he show you he has no hard feelings?»* Deepening the learning conversation generates insights about the dynamics of the parties' interactions; insights that can produce powerful shifts in both the speaker and the listener's understanding of the conflict that embroils them.

Deepening the learning conversation is also powerful because it helps parties make sense of actions that previously could only be thought of as harmful, or that made little or no sense to them at all. Once threats are lessened, conflicting parties are able to listen to each other more openly because they no longer have to stay focused on defending themselves. Another way of saying this is that the learning process that created the threat experience is disrupted and a new process for learning has replaced it. It is this new learning process that holds the potential for discovering ways of interacting that allow differing sets of cares to co-exist without threat.

4. Differentiating Between Threat-to-Care and Defend Stories

Included in both noticing the parties in a responsive way and deepening the learning conversation is the ability to differentiate between lines of inquiry that are more likely to produce new learning and help parties improve their situation, and those that will not. For this reason, Insight mediators distinguish between what they refer to as «threat-to-care stories» and «defend stories.» Let's examine why more closely.

Stories that focus on all the reasons a party feels threatened by the other party, and the rationale for why a person feels justified in responding in the way they have towards the other, is a «defend» story. They are closed stories with no room for new information to take hold because of the certainty a party has that they already know all there is to know and that their viewpoint is correct. Defend stories are shaped from efforts to make meaning out of the actions of others, meanings that draw on past filters to confirm a party's interpretations of what is happening in the present. They are firmly held narratives rooted in social cognition. Defend stories contain all the reasons for a person being «right,» and for knowing the other as being «wrong.» They hold the certainty

of the need to defend against the other. These are the stories that other parties to the conflict reject. They are the stories that fuel the conflict and keep it on-going.

Threat-to-care stories are also made up of information from the original experience of threat; however, instead of justifying the need to defend against the other, this story conveys what matters to parties and how they feel. They are the stories about how what matters is being threatened. Threat-to-care stories, because of the vulnerability within them, are not always shared in conflict narratives, or, when they are talked about listeners rarely hear them, as learning is blocked by their certainty of knowing.

It is in the telling of threat-to-care stories that parties learn more about the other, and oftentimes more about themselves; these are the stories that unlock the doors to change. When parties learn of the cares that underlie each other's actions they become less convinced of intended harm toward them and thus less encumbered by threat. Less threat stimulates new learning, a necessity in the search for interactions that will allow their differing cares to coexist without conflict. Selective paraphrasing is an intervention used to elicit threat-to-care stories.

5. Selective Paraphrasing

Paraphrasing both the content and emotion of what was said to check understanding, known as active listening, will be familiar to mediators. In addition to listening actively, what is stressed in the Insight approach is the need to also notice the nature of what was said in order to avoid paraphrasing defend stories, as explained above. Restating blaming, judging and threatening narratives to confirm a speaker has been heard, even when reframed, will block the listener from learning. By intentionally choosing to not paraphrase judgmental statements while instead choosing to ask about and reflect feelings and threats the mediator is being discerning and selective.

Selective paraphrasing is particularly noticeable early in the mediation when parties almost always begin speaking about all the reasons they are justified in their actions, why they are right and the other is wrong, and how they feel victimized. Rather than seeking to confirm understanding of the defend narrative, the mediator's curiosity will be directed at discovering the care behind the narrative. For instance, rather than saying, «it is clear that you are very annoyed with his behavior in team meetings», the mediator would ask, «what makes his actions in the meetings so worrisome for you?» Or, «what are you interpreting from his actions in the meetings?» Or, «if he continues to act that way in meetings, what do you fear will happen?»

As a door opener to learning, selective paraphrasing is powerful because it directs the conversation away from

judgment and blame toward what matters. Not having to defend against judgment makes room for curiosity about how others see things. When mediators ask parties questions such as: «*what is the problem here; what has been happening between you; talk about the contentious issues,*» and so forth, defend stories are bound to emerge. Insight mediators purposefully avoid asking parties to talk about the conflict problem per se in the opening stage, and only minimally if at all, throughout the mediation. They begin the story-telling process looking to uncover motivations and hopes for positive change, which I explain further when I talk about «asking about hopes» in point 7.

Selective paraphrasing is important to use when Insight mediators explore parties' meaning-making and interpretation, and when they deepen the learning conversation to discover threats-to-cares. This is because listening for, and then paraphrasing, threats-to-cares, rather than facts and individual truths, helps draw out what is at stake for each party. Linking conflict interactions to what matters to people can, for the first time, help conflicting parties make sense of why the situation is happening. As said previously, linking behaviours to cares can stimulate learning because it frees parties from having to defend from judgment and blame. Think for a moment – it is not uncommon to find our values and ideas differ from those we live or work with, yet instead of creating conflict, we are led to wonder about these differences. Our curiosity becomes piqued and our minds become open to being broadened. Eliciting threat-to-care stories requires the ability to ask threat-based questions.

6. Asking Threat-based Questions

Asking threat-based questions to elicit underlying threats is a key Insight skill. While it may seem simple enough to be told to ask about threats-to-cares rather than asking about the whys and the wherefores, it takes effort to learn to do this well. In part this is because so many words can be associated with experiences of threat. Words such as: fear, risk, fright, intimidation, danger, endangered, vulnerable, dread, concern, unease, worry, agonize, bothered, alarm, apprehensive, trepidation, distress, discomfort, nervous, panic, troubled, and the list goes on. What also makes threat-based questions difficult is that they ask about feelings, which for some may be a social taboo given the belief that feelings should remain private. Furthermore, when feelings are viewed as potential obstacles to rational thinking and problem-solving the tendency is to «put a lid on» them. It is little wonder then, that when mediators are told to ask about feelings and encourage the expression of emotion they may at first be reticent to do so. Learning to do this with ease takes practice.

The following examples ask about emotions linked to threats. «*You seem anxious by John's silence; what are you*

*thinking he is thinking that concerns you?» «Not being recognized by John is clearly upsetting; what does his lack of recognition say to you?» «Talk a bit about how you are feeling now that she has asked you not to withdraw from the group.» «His last comment triggered your outburst, what can you tell us about your strong response?» «Say more about how this leaves you feeling.» As already said, framing questions about threats can be difficult for mediators unfamiliar with this focus. A few more examples may help guide you on your way to incorporating them into your practice: «*What makes you nervous about his reactions?» «What are you worried will happen if this continues?» «Where do your fears lie in relation to his suggestion?» «What are you hearing that leaves you anxious?» «What threat prevents you from considering her request?» «There is something deeply troubling about all of this for you, what can you tell us about how you are feeling?»**

Becoming comfortable asking about what is threatening parties can be a weighty shift for mediators used to asking primarily about goals and interests. In my experience, new mediators also find this shift difficult given that they prefer to talk about cares rather than threats – it seems safer somehow. The important point for both experienced and new mediators to remember is that it is not parties' cares generating the conflict; it is the *threats* to these cares that is causing the problem. Successful mediation requires that threats surface and be reduced, and it is the job of the mediator to help make this happen.

7. Asking about Hopes

Right from the start of a mediation session Insight mediators work to open pathways for learning to occur by asking parties about their hopes rather than about their issues or problems. After demonstrating the ability to listen with a curious, open mind in phase one, the mediator in phase two begins by inviting parties to talk about how a successful conversation today will change their lives for the better tomorrow (Picard, 2016, pp.57-103). Insight mediators refer to this as a «hope question» focused on interpersonal relations rather than individual interests or issues. It is a question aimed at surfacing parties' higher-level values and underlying motives for choosing mediation. Surfacing individual hopes for positive change begins to elicit information that is rarely a part of parties' defend narratives. It moves the discussion away from blame and accusation towards individual and at times shared values.

The answers to hope questions may come as a surprise to parties, and each other's hopeful answer can have the effect of shifting them from «defending their corners» to feeling encouraged that change is possible. This is because genuine answers to hope questions lack judgment and blame. When asked, «*what are you hoping will be better in your life after*

talking to each other today?» it is common for parties to express hope for a better relationship, a less stressful work environment, a happier household, a more peaceful neighborhood, a more prosperous business, and so on. It is from these hopes that the Insight mediator begins surfacing the threats blocking the attainment of these hopes. Answers to questions such as the ones that follow can provide a gateway for beginning to change the nature of the threats locking the parties in conflict. *«If you are unable to improve relations between the two of you today what are you worried is likely to happen?» «If you cannot make joint decisions here, what are your concerns regarding the children?» What do you imagine will happen to the business if this impasse is not resolved?»* Opening a pathway toward the achievement of parties' hopes is the quintessence of Insight practice.

It has been my experience that learning to ask hope questions can be difficult for both new and experienced mediators. This is because it usually takes more than one or two questions for parties to be able to articulate their hopes given that they can lie in the recesses of their minds. The following dialogue exemplifies how asking for hopes as an intervention might sound.

Mediator: *Now that we understand and agree to the process we will follow, I will invite each of you to think for a moment, and then share with us, your hopes for how successful discussions today could change things for the better for you tomorrow. Who would like to start?*

Pat: *I am happy to start. I would like to talk to Chris about why it is that every time she takes a file it manages to go missing! I hope that if we can figure this out it will stop happening and then I can get on with doing my job in the way it is supposed to be done.*

Mediator: *(Selectively paraphrasing to leave out the first part of Chris' response because it is an accusing part to Pat's defend story) If you are able to get on with doing your job as you envisage (listening response about a care), how will that make things better for you at work (layered question)?*

Pat: *Yes, well, it will make life around here so much more pleasant and coming to work something to look forward to instead of dreading it; to say nothing of how much more productive we could be if we were not always fighting.*

Mediator: *So you are hoping that work will become a better place to be and that both you and Chris will be able to be more productive if you are able to talk about the problem with the files (listening response about a care). Clearly there are some things blocking the two of you from getting to this better place that need to be explored. Before doing that, (mediator turns to Chris) let me invite you, Chris, to share with us what you hope will be improved if you have a successful conversation today.*

Chris: *Well, like Pat I also want to talk about the file situ-*

ation, but for me I am hoping that Pat will stop blaming me for every single file that goes missing and stop bad-mouthing me; it is so exasperating and demoralizing!

Mediator: *And if you are no longer being blamed (listening response), what are you hoping will change for the better (a second hope question)?*

Chris: *Again, not unlike Pat, not being blamed for every little thing around here will make my life so much more pleasant. And, I agree that if we can stop this nagging and fighting we might be more productive and that might be just enough to keep both our jobs safe! (an expression of cares)*

Mediator: *Clearly you are both experiencing threats that are linked to job security and a happier workplace (listening response). I wonder if we might begin exploring these threats... your concern Pat about being unable to get your work done in the way you would like and the impact that is having on you; and your concern, Chris, about feeling vulnerable in relation to your job and the worry that is causing. If this makes sense to you, who wants to begin talking about these threats?*

Chris: *Well you went first before Pat, so I can go first this time.*

Pat: *Okay by me.*

Mediator: *So Chris, talk more about the connection between what is going on at work with you and Pat and how it is linked to feeling your job may be at risk. While Chris is talking I am going to ask you Pat to listen for anything you may not have heard before that might expand your view of things. When Chris is finished talking we will check in with you to ensure you understood correctly what he was saying, then I will give you the same opportunity to talk about your perceptions and concerns ensuring at the end that Pat heard you correctly (transparency about process). So, Chris, what is it about your interactions with Pat that leads you to worry about your job?*

8. Exploring Meaning-making and Interpretation

The meanings we take from other peoples' behaviors and the interpretations we draw from what they are saying can both create conflict and make it possible for us to resolve it. Asking parties about what they heard or interpreted during the mediation dialogue is not unique to Insight mediation; however, we think its centrality in this approach is distinctive.

Discovering the interpretations and meaning-making of parties requires Insight mediators to spend less time checking out the accuracy of what they heard and more time checking out what parties heard or took away from the discussions. There are a number of reasons for doing this. First, if a party is unable to repeat what was said it informs the mediator that learning is still blocked. Second, it quickly allows misinterpretations to surface giving the mediator the opportunity to engage the parties in expanded discussions about them. Third,

focusing on what the parties heard supports their dialogue because it keeps the conversation focused on them and away from the mediator. For all of these reasons Insight mediators hold the strong view that mediation sessions should be held totally in joint sessions, unless doing so could harm the parties in some way.

Here are a few examples of asking about interpretation and meaning making: «*What did you hear him just say?*» «*What is she asking you to do?*» «*When that happened, what did you take from it?*» «*What does it say to you when she interrupts you in meetings?*» «*How have you made sense of the situation?*» «*What she is saying is clearly not what you thought; what did you think?*» Selective paraphrasing, bridging, layered and curious questions are all used to help Insight mediators discover the meanings and interpretations that are so much a part of conflict.

9. Linking, De-linking and Verifying

Linking is an Insight skill that involves listening for and asking about the links between parties' interpretations and feelings and their actions. It involves searching for connections between past experiences and expectations of an unwelcomed future. Linking is about discovering the cares that are driving the conflict then seeking to understand how these cares are linked to what threatens others.

The skill of linking requires the mediator to listen closely for, or ask about, how past histories are linked to present feelings. They are curious about ascertaining whether something similar to what is happening now may have happened in the past. This is because, based on Lonergan's concept of feelings as carriers of value discussed in point 2, they know that present feelings and positions are also about emotions and experiences that happened in the past. Being able to name these connections is a way of making sense of conflicting parties' current attitudes, feelings and behaviors. Linking can involve asking a direct question such as, «*So, how is your daughter's coming in late linked to your brother's accident so many years ago?*» Or, simply stating the link that appears to exist, «*It seems that your reaction to your daughter coming in late is somehow connected to your brother's accident.*» Associations like these are known as «direct insights.»

The mediator is also intentional about asking consequential questions and then listening for how parties' responses are linked to imagined futures. «*So, what are you imagining has happened to your daughter when she is late?*» «*What do you think grounding your daughter is protecting her from?*» Surfacing the links that parties have made to the past and future helps them gain insight into the necessity of those being the only links in the present circumstances. When a link becomes less certain or mistaken, a «de-link» or «reverse insight» has occurred.

When de-linking happens, conversations shift in different, and often surprising ways. Connections that once seemed so certain no longer produce the same fear. «*If the past experience of my brother's accident is driving these strong feelings of fear, then perhaps my daughter being late is not such a threat after all.*» Or, «*If this fear is linked to my brother, perhaps my daughter and I can find a way to lessen my fear when she is late.*» Or, «*I can finally let go of thinking my mother does not trust me now that I know where her worry is coming from.*» Delinking disrupts what is currently known and this disruption opens up space for the curiosity needed to learn. Both links and de-links are almost always accompanied by powerful feelings.

Linking and de-linking help to generate new insights, however, these new insights can sometimes be wrong. For this reason a mediator must be vigilant about ensuring that what parties hear or conclude adequately reflects what is said or intended. This is the skill of «verifying.»

Verifying understanding as a skill is associated with Lonergan's third operation of learning. In Insight mediation responses from parties such as, «*oh I get it now,*» or «*I see what you mean,*» «*I know,*» or «*I understand*» are always followed up with a question that seeks to discover what it is that the speaker now knows or understands. «*You say you understand why your mother is angry at you for coming home late, it would be good to hear what her anger is all about in your own words.*» Verifying can be as simple as checking out what you heard, «*Am I right in hearing you say that this behavior has to change before you can begin to trust her?*»

After a party has said all that needs to be said about what matters in a deepening conversation, and after the mediator has verified the other party's interpretations and understanding are correct, the mediator will «use» this information in some way before going to the other party to deepen. I elaborate on this point next.

10. Finishing the Deepening Conversation and Using the Information

The concept of «finishing» was created to highlight the importance of a mediator continuing to deepen the conversation until the party has nothing more to say about the matter. There are no more questions to be asked, the party feels satisfied that they are now understood, and their understanding has been verified. Finishing elicits the information necessary to help parties' engage in successful decision-making later on.

Insight mediators know why it is important to finish a deepening conversation. For one thing, having started deepening then leaving the matter prematurely will make it hard to return to the issue later. For another, not completing a deepening conversation is sure to leave speakers feeling dis-

missed, judged, or unimportant, and so they are likely to be reluctant to open up and discuss things that matter as the mediation progresses.

There may be a tendency for some mediators to not want to finish deepening because of the amount of time that is spent with one party, which they fear could call into question their impartiality by the non-involved party. Balancing the interactions, especially early on in a mediation session is important in Insight mediation; however, it is less of a concern when deepening the learning conversation. This is because deepening generally happens well into the dialogue when trust in the mediator has been established. Insight mediators also know there is less of a need to balance the interaction because the dialogue is finally getting to what the other party wants to know and needs to hear, so they are likely to be listening carefully. If in doubt the mediator can quickly verify this by noticing the listening party's non-verbal cues; or, by doing a quick check-in – «*are you with us?*» The mediator can also briefly reassure the listening party they will have the chance to talk about what matters to them without interruption after this discussion.

Not surprisingly, finishing a deepening conversation often brings with it the discovery that what was once certain in the listener's mind is less certain or «disrupted,» leaving them curious and more open to new possibilities. This happens when what is known is expanded or corrected. Helping parties learn more about their own, as well as each other's, threats-to-cares and feelings helps them to consider less threatening ways of interacting that will bring about change for the better.

Once deepening the learning conversation is finished, Insight mediators will then «use» the insights gained before moving on to another topic or party. One way they might do this is to name a threat-to-care or a feeling and then link it to the interactions that created or is sustaining the conflict. «*So when your daughter is late coming home, your first reaction is to worry that she has been in an accident. That worry turns to anger when she finally does come in and you know she is safe. Your response is to ground her. The action of grounding is a way for you to protect her, and to protect yourself. The problem of course, is that grounding has made things worse, not better. Perhaps it would be advantageous to look at other ways to lessen your worry.*» In this example the mediator acknowledged the mother's feeling and then linked those feeling to her actions about her daughter's breaking curfew.

The mediator could also use the insights gained to either link or de-link experiences from the past from those of the present. For example, «*You told us earlier about your brother being in a bad car accident when he was a teenager and that it took a while before anyone realized this and help could be sent. Clearly this event is linked to the strong fear that you*

have when your daughter is late.» Another way to use the skill of «using» is for the mediator, after verifying a new insight or insights, to ask the party how that new knowledge might change things: «*Given what you now know about how your fears are so tied into your brother's accident, I wonder what request you could ask of your daughter to lessen your worry when she knows she is going to be late?*» The mediator's role, in this example, is ensuring that what she and the parties just learned is not left hanging but is instead being «used.» A cautionary note here – using is not to be confused with final joint decision-making. It is about making sense of a party's deciding within the context of the deepening narrative. After deepening, especially having done so with only one of the parties, is not the time to start the search for new ways of interacting between conflicting parties. The mother's requests in the example above would be restated, then the mediator would make a note of it while informing the parties the idea will be returned to when they get to the decision-making phase of mediation.

Conclusion

This essay brings to light what distinguishes Insight mediation from other mediation models through an examination of some of its key principles and practices. Ten of the more prominent interventions that underpin the insight approach and set it apart from other mediation models were presented to excite readers about using this method of mediation.

It is my contention, after using this approach for more than a decade, that the power of Insight mediation and the Insight approach to conflict lies in using a relational learning approach to deal with conflict instead of relying on more individualist negotiation or problem-solving methodologies. This is reflected in the ease in which parties are able to make sense of, and then act on, the understanding that conflict behaviors emanate from defend responses to what deeply matters to those involved in the situation. When seen in this light, each other's actions cease to be viewed principally as intentional acts of harm, thereby allowing their behaviors to take on less threatening meanings. And, even when it is clear that the conflict has reached a stage where harm is intended, coming to understand that the other's behavior is about protecting deeply held values can still create opportunities for change. It is the shift in thinking provided through new insights that gives the parties the resolve to change their interactive stances in ways that will allow their differing views and values to co-exist without threat, or at least with more peace.

I also contend, based on my experience of teaching the Insight method to both new and experienced conflict practitioners and mediators, that within a relatively short period of time the skills and techniques can be grasped, and with practice, ably applied. The ease of learning how to engage

with this method is in part due to the extent of the practice-to-theory and theory-to-practice study that was undertaken and written about throughout its formation, coupled with the naming, explaining and illustrating of insight communication and mediation skills. The theoretical foundation of the Insight approach enables practitioners to ground their practice in theory enabling them to identify what they are doing when they are doing it, and why. It teaches them to be self-reflexive when learning about how the parties view the conflict, and it teaches them about the role they play in the mediation interactions, thus providing critical control over their interventions. Insight mediation makes room for the power of curiosity and authentic engagement as drivers of change in conflict. It permits the use of more varied, creative and flexible interventions than would be found in prescriptive-type mediation models. Of additional benefit is that it can be used in a range of conflict contexts and with a diverse array of parties and groups. Still to be tested, but strongly suspected, is the view that what has to date been an approach used in interpersonal domestic conflicts could in fact also advance the thinking and practice of perceived threats in international relations (see Bartoli in Picard, 2016, pp. 159-164).

It is exciting to contemplate that readers could soon be envisioning the Insight approach as advancing the evolution of their own mediation practice together with the mediation field as a whole. Furthermore, that they will see the appeal of the Insight approach for creating positive change in complex deep-rooted large group conflicts as well as in violent international conflicts. It is my profound hope that this special issue of *Revista de Mediación* will encourage additional researchers and practitioners to join together and advance what is still early work on improving our ability to help conflicting parties, groups and nations engage in more satisfying and lasting conflict interventions that have learning at their core. The profound nature of the Insight approach makes it a worthy lifelong journey.

References

- Burton, J. (1990). *Conflict: Human Needs Theory*. New York, NY, USA: St. Martin's Press.
- Bush, R. A. B., & Folger J. P. (2004). *The Promise of Mediation: The Transformative Approach to Conflict*, rev. ed. San Francisco, CA, USA: Jossey-Bass.
- Coser, L. (1968). *Continuities in the Study of Social Conflict*. New York, NY, USA: Free Press.
- Deutsch, M. (1973). *The Resolution of Conflict: Constructive and Destructive Processes*. New Haven, CT, USA: Yale University Press.
- Fisher, R., & Ury, W. L. (1981). *Getting to Yes: Negotiating Agreement without Giving In*. Boston, USA: Houghton Mifflin.
- Lonergan, B. (1992). *Collected Works of Bernard Lonergan, vol. 3, Insight: A Study of Human Understanding*. Toronto, Canada: University of Toronto Press.
- Melchin, K., & Picard, C. A. (2008). *Transforming Conflict through Insight*. Toronto, Canada: University of Toronto Press.
- Mezirow, J. (1991). *Transformative dimensions of adult learning*. San Francisco, CA, USA: Jossey-Bass.
- Picard, C. A. (2000). *The Many Meanings of Mediation: A Sociological Study of Mediation in Canada*. PhD diss., Ottawa, Canada: Carleton University.
- Picard, C. A. (2003a). Why Mediators Mediate. *Alternative Dispute Resolution Practice Manual 1*, 1501-1584.
- Picard, C. A. (2003b). Learning about Learning – The Value of Insight. *Conflict Resolution Quarterly*, 20, pp. 477-484.
- Picard, C. A. (2016). *Practicing Insight Mediation*. Toronto, Canada: University of Toronto Press.
- Picard, C. A., & Jull, M. (2011). Learning through Deepening Conversations: A Key Insight Mediation Strategy. *Conflict Resolution Quarterly*, 29, 151-176.
- Picard, C. A., & Melchin, K. (2007). Insight Mediation: A Learning Centered Mediation Model. *Negotiation Journal*, 23, 35-54.
- Picard, C. A., & Siltan, J. (2013). Exploring the Significance of Emotion for Mediation Practice. *Conflict Resolution Quarterly*, 31, 31-55.
- Price, J. (2013). Explaining Human Conflict: Human Needs Theory and the Insight Approach. In K. Avruch & C. Mitchell (Eds.): *Conflict Resolution and Human Needs: Linking Theory to Practice*, (pp. 108-23). New York, NY, USA: Routledge.
- Price, M. (2017). The Role of Our Minds in the Emergence of Peace and Conflict. In V. Redekop (Ed.): *Spirituality, Reconciliation and Emergent Creativity*. Toronto: University of Toronto.
- Riskin, L. L. (1996). Understanding Mediators' Orientations, Strategies, and Techniques: A Grid for the Perplexed. *1 Harvard Negotiation Law Review* 7, <http://scholarship.law.ufl.edu/facultypub/668>.
- Sargent, N., Picard, C. A., & Jull, M. (2011). Rethinking Conflict: Perspectives from the Insight Approach. *Negotiation Journal*, 27, 343-366.
- Thomas, C. J. (2016). *The Wisdom of the Brain: Neuroscience for Helping Professionals*. North Charleston, SC, USA: CreateSpace Independent.
- Winslade, J., & Monk, G. (2000). *Narrative Mediation. A new approach to Conflict Resolution*. San Francisco, CA, USA: Jossey-Bass.