Learning Through Deepening Conversations: A Key Strategy of Insight Mediation

CHERYL PICARD
MARNIE JULL

This article discusses the theory and practice of the insight approach to mediation; an approach that applies Lonergan's philosophy of cognition to the field of conflict resolution. The authors focus on a specific type of learning conversation, known as deepening, that is important in the practice of insight mediation. To help us understand deepening conversations, they begin with an overview of the theoretical foundations from Lonergan on which the practice of deepening is based and then go on to describe key aspects of insight mediation. In the latter part of the article, and to illustrate the application of the theory to the practice of mediation, they take us through a simulated dialogue that involves a conflict between a father and daughter over the daughter's pending marriage.

Introduction

Conflict surrounds us, from disagreements between family members to longstanding disputes over indigenous people's claims, to very deadly conflicts in countries around the globe. This essay offers new insights for thinking about conflict and its transformation by using Lonergan's (1957) philosophy of cognition and applying it to conflict. Melchin and Picard (2008; see also Picard and Melchin, 2007) first drew upon Lonergan to think about conflict in ways that contemporary conflict theorists had not. Their work led to articulating the insight mediation approach in 2002 (Picard, 2003; Picard and others, 2004). Further work continues to explore

Conflict Resolution Quarterly, vol. 29, no. 2, Winter 2011

© Wiley Periodicals, Inc. and the Association for Conflict Resolution
Published online in Wiley Online Library (wileyonlinelibrary.com) • DOI: 10.1002/crq.20040

the ways in which the insight approach is similar and distinct from other mediation paradigms, in particular the interest-based, transformative, and narrative approaches. Although this has been discussed in detail in other publications (Picard and others, 2004; Picard and Melchin, 2007; Melchin and Picard, 2008), it is worth saying here that the insight approach aligns itself with narrative and transformative mediation approaches in terms of viewing conflict within a relational ideology of human interaction.[1] The insight approach also draws from an interpretive view of communication that posits human action as a response to meaning-making (Sargent, Picard, and Jull, 2011).

For the most part, *insight mediation* evolved within the context of interpersonal and workplace disputes. Ongoing research at Carleton University in Ottawa and more recent work at the School of Conflict Analysis and Resolution at George Mason University shows promising possibilities for investigating the importance of insight in more distributive or commercial conflicts, as well as in the international arena. While still early in development, there is a sense that the insight approach, because of its focus on learning to bring about change, may prove useful in a range of contexts where interpersonal relations are not the primary focus, or relationships necessarily ongoing. At the core of this article is the hope that we provide new insights to scholars and practitioners in a wide range of contexts, heightening attention to the operations of learning and stimulating further exploratory work in this area. It is in this spirit of contributing to the broader discussion on insightful mediation practice that we focus our attention on the theory and practices through which insight can be facilitated. In particular we concentrate on a key strategy used in insight mediation called *deepening conversations*.

In the insight approach, *conflict* is defined as emerging from the experience of threats-to-cares. The use of the term *cares* is not intended to simply connote the idea of caring, but is consistent with Lonergan's levels of the good he calls *values*. Values and cares in the insight approach exist at three interdependent and hierarchical levels. At the first level are interests, needs, and desires. The second level of values holds our expectations of normative patterns of interaction. At the third level of values are the criteria we use to distinguish right from wrong and good from bad. Conflicts arise when we experience a threat to our desires, expected patterns of interaction, and our sense of right and wrong; simply put, it arises when we experience threats to our cares. And they take hold when our response to the experience of threat is to defend ourselves through *flight-or-fight*

actions, and when these defend responses are experienced by others as an attack on them.

The insight approach understands the purpose of mediation as a learning endeavor that helps parties gain insight into their cares and the threats to these cares. Gaining insights into experiences of threats-to-cares shifts the conflict toward new interpretations and meanings; these new understandings make space for the emergence of creative possibilities to bring about positive change or help parties find ways of living more peacefully with their differences.

Learning about what matters to us and to others, why it matters, and how what matters is being threatened for both parties can lead to becoming less certain about the negative intent of the other and less certain about the harmful future of the situation. It is this *uncertainty* that facilitates the curiosity to learn (*If it is not that, then what is it?*) and the willingness to engage the other in conversation. Talking about what things mean and having the opportunity to correct misinterpretations is often the impetus that frees parties to explore ways in which their cares might be protected without engendering threat. These learning moments represent changes in perspectives and attitudes and are what alter established negative patterns of communication.

In the insight approach, helping parties to engage in conversations that reveal the dynamics of cares and threats is known as *deepening* (Melchin and Picard, 2008). Deepening is a type of conversation that helps to produce learning moments and insights that shift the direction of parties' engagement and their pattern of interaction. Deepening conversations involve the use of a complex set of listening and questioning skills that are generated from the mediator's insight into the threats parties are experiencing. Deepening also produces new insights revealing the deeper cares that give meaning to the events of the conflict. The term *deepening* seems an appropriate metaphor for this type of conversation as it conjures up visions of "peeling back the onion," "seeing what lies at the bottom," "rediscovering our roots," and "getting to the heart of what really matters."

In this article we articulate both the theoretical and practical elements of insight mediation and the strategy of engaging in deepening conversations that is so much a part of the insight approach and insight mediation. Our objective, however, is broader than influencing the study and practice of mediation; we also hope to lessen, in a very practical way, the divide between Lonergan's very complex writings and their relevance to everyday life. Thus, we have two audiences for this essay. One is the broadly understood

mediation community. Our hope for them is that we demonstrate deepening conversations clearly enough that they will consider its use in their practice and grasp it enough to use it well. Our second audience is philosophers who already grasp Lonergan's very complex ideas but have yet to work with them in a more applied way or in the area of conflict and conflict intervention. Our hope for them is that they become intrigued by our work and take up the challenge of furthering how Lonergan's philosophy can help to advance our understanding of conflict and how best to deal with it.

We begin with an overview of key ideas from Lonergan that Melchin and Picard used in their work. We then move to describe the key features of the insight approach to mediation, and attempt to demonstrate the method for deepening conversations through a simulated dialogue by highlighting various operations of learning as well as typical insight mediation communication skills and strategies.

Lonergan and Insight

Bernard Lonergan, a Canadian Jesuit priest, was interested in the structure of human knowing. At the core of his philosophy is the invitation to pay attention to our acts of insight. The best way to describe *insight* is that it "transforms you quite suddenly from being stupid to being brilliant" (Flanagan, 1997, p. 16). It is the *aha!* experience that arises when we hit on the answer to a puzzle or a question. Insights occur in ready minds and what readies our minds is wondering and wanting to understand. Before the insight we cannot imagine the answer to the question but after the insight we can neither imagine nor recall our inability to understand. Hitting on insights often requires getting out of one line of questioning into another line of questioning. This happens when we hit dead-ends, go around in circles, and get nowhere with our questioning. Hence, we search for new clues by trying a different tack, asking a different type of question, and paying attention to a different set of data. Getting the insight that "we can't get there from here" causes us to disengage from our original line of inquiry and is what Lonergan calls the *inverse insight*. It is inverse because rather than hitting on a solution, it recognizes that a particular line of questioning will not work. It discovers that intelligibility does not lie in the direction we have been going but elsewhere.

It is important to note that Lonergan's theory of cognition is not a "grand" theory or a set of principles that can be learned from reading

a book or listening to others. Instead, it is a discovery process where we observe and come to understand ourselves in our day-to-day actions. This self-reflective method is a four-step heuristic process that involves experiencing, understanding, judging, and decision (Crowe and Doran, 1992). Through this method Lonergan observed that in coming to know something: (1) we attend to our experience, (2) we ask questions about our experience and receive insight, (3) we follow up by reflecting and determining whether our insights are correct, and (4) we take action. All knowing, according to Lonergan, whether it be solving everyday problems, playing games, or doing research, involves these four operational levels. Let's look a little more closely at each of them.

Getting the data for the operations of understanding and judgment is at the level of *experiencing*, which requires us to immerse ourselves in noticing, seeing, hearing, feeling, imagining, and remembering.[2] *Understanding* involves getting insights that explain what we are experiencing, or it can serve to set us on a new track. Understanding answers the "What is it?" question. For instance, we have a direct insight when we figure out the combination of bus routes that will take us to our destination. And we get an inverse insight when we recall that a lost object was never lost: it was lent to a friend and our task changes to one of tracking down the friend. Lonergan's third operation of cognition is *judgment*. Here is where we reflect on our insights to verify whether they are correct; we ask, "Is it so?" We check out the bus schedule at our local stop, only to find that we have been working with an out-of-date schedule. Our previous insight was incorrect, so we must begin again to find the best connection. We call around to our friend, discover our insight was correct, and track down the lost object. The final stage of knowing, *decision*, is where we take action. It involves reflecting on whether we will follow through on our understanding and judgment with a decision to act. Here we make decisions to embark on our journey, or to retrieve the lost object. We answer the "What will I do?" question.

Insights that occur during the level of *understanding* are not merely cognitive, they are also affective; they create and change feelings. In conflict situations, insights that involve a discovery about why something matters can enable parties to relate to each other differently. Insights often make sense of something that before made little or no sense. In conflict situations this does not necessarily mean that what matters to one party suddenly comes to be what matters to the other. Instead, parties in conflict can begin to see *why* something matters to someone else. They can connect with it in

ways they could not before. Insights, then, play an important role in helping to forge new links between conflicting parties. These links begin forming a base on which they can build new ways of relating. Single insights not only complement or correct prior insights, they also accumulate, and they become the basis for continued learning throughout and after the mediation as emergent patterns of interaction and cooperation.

There are two kinds of insight at the level of understanding: direct and inverse. Direct insights are those moments of discovery commonly referred to as the *aha!* experience. They follow periods of puzzling and answer the questions driving our inquiry. Insights often catch us unawares and leave us feeling a little amazed. They surprise us because they often arrive unexpectedly; they also surprise us because they change us from confusion to comprehension. Before the insight, we are confused; after, we understand. The change in us can be so significant that we cannot imagine an insight before it occurs and, afterward, we cannot remember what it was like without it. Whether the change occurs dramatically or gradually it is quite total and complete; it affects not only what we think but how we feel. It often opens our eyes and ears to experiences that previously we could not have noticed and can open us to concerns that previously we could not have imagined. Insights are intellectual and affective.

Inverse insights also have an important role to play in the resolution of conflict because they grasp that some expected connection or meaning is not inevitable and that our line of questioning has been wrong, which in turn causes us to change our lines of questioning. Parties get locked in conflict when their responses to each other are based on expectations that the other's cares necessarily pose a threat to their own:

Your competence necessarily implies that I am stupid!

Your access to custody of the children necessarily means I am a bad parent!

Organizational change necessarily means I have been doing a bad job!

Gaining inverse insights that de-link parties from these expectations of necessity opens doors for fresh lines of questioning.

Insight Mediation: Working with Conflict as an Interaction of Threats-to-Cares

Why do mediators do what they do? How do they know when to listen or when to talk? What guides their interactions with the parties? These questions

form the basic undercurrents of any mediation practice and the answers to these questions differ depending on the theoretical approach the mediator is following.

The most prevalent approach to conflict and its resolution is the *interest-based approach* articulated by Fisher and Ury in 1981. This approach draws on rational liberal philosophies of human nature that view conflict as a problem to be solved through the discovery of mutually agreeable solutions to divergent interests and needs. In the interest-based approach, self-interest is understood to be the driver of conflict, so that mediation is focused on finding ways of meeting the interests of all involved.

In contrast, the *relational approach* draws from interpretive philosophies that understand humans as connected to each other through complex webs of relationships and meanings formed through social interaction. This understanding undergirds more recent approaches to conflict intervention, including the *insight* approach as well as the *transformative* (Bush, Baruch, and Folger, 2005) and the *narrative* (Winslade and Monk, 2000) approaches.

In addition to a relational understanding of conflict, the insight approach has an interpretive conception of human nature. What makes insight mediation different from other mediation approaches is that, rather than understanding conflict as a problem to be solved (interest-based), a moral undertaking (transformative), or the result of cultural stimuli (narrative), it understands conflict as a relational, emergent dynamic of meaning-making that generates defend–attack patterns of behavior.

As mentioned in the Introduction, the insight approach understands conflict to emerge when what matters to us is experienced by others as a threat to what matters to them. It is the experience and certainty of the threat that creates the *defend–attack* patterns of interaction that characterize conflict. As a consequence, it is difficult for parties to be open to learning about the other and also about themselves because there resides within them a *certainty of knowing* the other as a threat. Associating intent with threat can lead parties to become defensive and closed. Curiosity and wondering about the other are difficult to muster because of this defensive, incurious response that accompanies threat to protect against vulnerability. Insight mediators direct their attention toward helping parties explore the threat, defuse its inevitability, and become curious toward each other in creating new possibilities. They do this by asking questions related to the meanings attached to the conflict events that created the certainty of threat. Conversations about how interactions have been interpreted help

parties begin to make sense of their own feelings and responses as well as those of the other party in ways that previously had made little or no sense. These new understandings are what open up their minds to learn and think about ideas that lead toward change for the better.

Insight mediation, then, can be defined as a learning process where a mediator helps parties in conflict talk about and gain insight into the threats-to-cares that underlie their conflict—insights that open parties' minds to new possibilities for creative action whereby cares can be maintained without necessarily generating threat.

Learning about the self and others requires curiosity on the part of the parties, curiosity that engages them in exploring the threat-to-cares that are locking them in conflict. Because insight mediators work from the understanding that conflicts are sustained by feelings of threat, they work to help parties gain insights into the meanings that cause the strong reactions that fuel a conflict, meanings that are often hidden and embedded in unexamined cultural norms or remote regions of parties' past or imagined futures. For parties to understand the meaning of events, insight mediators help to facilitate a state of curiosity in the parties about the data of experience related to the issues in dispute. They also recognize that the feelings that accompany conflict are pathways to discovering deeply held values, expected patterns of interaction, and individual desires. It can be said, then, that insight mediators help disputants through tangled webs of meanings by journeying with them and helping them chart paths of meaning they can travel together. They do this work by looking behind the issues in dispute to discover the cares that are being threatened, by helping parties to understand their feelings as responses to values, and by exploring the connection that the cares of the other party must necessarily be a threat to themselves.

Dealing with conflict on one's own is particularly difficult when the underlying values that give rise to feelings are not always known to us. Understanding, clarifying, and getting insight into feelings and values helps parties make sense of the actions of others and of themselves, which in turn helps them chart courses of action that avoid either the appearance or the reality of threat. It is insight that shifts parties from acting in defend–attack–defend patterns of interaction to working collaboratively and creatively toward change. This intellectual and emotional phenomenon of gaining insight that shifts parties is what Melchin and Picard (2008) suggest explains the "magic of mediation" (p. 87).

The Method of Insight Mediation

The process of insight mediation is similar to other mediation practices in that it engages parties in storytelling, exploring, and finding solutions to the conflict that can bring about change. In insight mediation these activities are separated into five emergent stages: (1) attend to process, (2) broaden understanding, (3) deepen insights, (4) explore possibilities, and (5) make decisions. The following discussion of these stages reflects subtle-but-important differences from other practices.

In the initial phase of the mediation, *attend to process*, the mediator and parties together establish a shared understanding of the process. The mediator, as part of building rapport, explains that her role is not to make decisions but to facilitate parties' learning about themselves and about each other through conversation, and that it is the new understandings that come from these conversations that will help them find other ways for moving forward. She invites the parties to talk about what would make the process safe and productive for their conversation and decision making. The mediator asks about preferences for confidentiality (while assuring she will keep the discussion confidential unless the circumstances pose limits to confidentially, which would then be stated), confirms timelines, and, when appropriate, asks if the involvement of others is required before finalizing any decisions. Engaging in productive conversations often elicits a request by parties to be allowed to speak without interruption and to be spoken to without anger or accusation. The mediator seeks agreement from the parties on these and further requests and may suggest other ways of interacting to facilitate working through difficult conversations, such as focusing on what the situation has been like for them and avoiding judging each other's actions as judgment elicits defend responses that get in the way of learning. Attending to process connotes that *both* the parties and the mediator are engaged in constructing a process that will create the best opportunity for the difficult conversation to come.

The second phase of the process, *broaden understanding*, is short and focused and different from other processes with which we are familiar. Here the mediator begins by intentionally inviting each party to talk about what they have come to talk to the other about and what they hope will be *better* in their life, work, family, and so on, if that is the conversation that occurs. Sometimes it takes a few layered questions to elicit hopes for a better tomorrow, but beginning the mediation with hopeful, rather than threatened, visions of the future sets the discussions on a different footing by shifting parties' dialogue from attack–defend toward an interaction that

they themselves identify as being more productive and thus satisfying. The shared agreement on process and an orientation toward a hoped-for change in relational patterns begin to reduce the sense of the other as an inevitable threat. As threat is reduced, curiosity and the desire to learn have more space to emerge. Through the power of the mediator's listening and nonjudgmental questioning, new information begins to emerge about the interconnection between parties' cares and the perceptions of threat. At this stage, parties begin to describe how they have come to *know* each other as a threat. What emerges is a conversation that starts to explain the parties' data of experience and the meanings made from this experience that led them to take the actions that now link them in conflict.

Phase three, *deepen insights,* is the heart of the insight mediation approach. It is here that the mediator, by facilitating a conversation between the parties, helps each of them discover how their threats-to-cares are getting in the way of realizing their hopes for a better tomorrow. The mediator has already begun to listen carefully for narratives that explain the experience and the understanding that have led parties to know each other as a threat, narratives that are further explored and that help make sense of the actions they have been taking. The mediator is particularly attentive to feelings and explores with the parties what these feelings are about, given that they know feelings reveal personal and social values (Melchin and Picard, 2008). With permission, the mediator engages the parties in deepening conversations that explore whether it is "necessarily so" that in the interaction with the other these values must be threatened. Insight mediators understand that conflict is often the result of distorted meanings; once the distortion is discovered and clarified the sense of threat is reduced or removed. They are confident that once threat is reduced the parties become interested in learning from each other and will seek to find ways to allow their differing cares to coexist if these cares are seen as nonthreatening. Not unlike other mediation approaches, the conversations in the middle stage of mediation are complex. In insight mediation this stage helps to unravel what is often unknown, not only to the other, but often to the person himself or herself. The mediator is working with the parties to expand their data of experience, to have direct and inverse insights that lead to understanding, and then to verify or judge whether these understandings are indeed correct (the first three of Lonergan's levels of cognition—experience, understanding, and judging). For this reason the mediator needs to be very attentive, empathetic, and sensitive to the nature of these deepening conversations that form the core of insight mediation.

Once the parties have new insights into threats-to-cares and their relational dynamics, there can be more freedom to move to the fourth and fifth phases of insight mediation, *explore possibilities* and *make decisions*. Very often parties can do this work on their own once threats are shifted through insight; sometimes there is little for the mediator to do but listen and take note of ideas that are generated in discussions about future interactions. To ensure clarity and mutual understanding, the mediator may probe more fully into the details—the *what*, *who*, *when*, *where*, and *how* of suggested possibilities. Insight mediators may help the parties put in writing commitments that have been made, and decisions for how to deal with similar situations in the future should they arise. Then again, the parties are often able to do this on their own because of the change in their interactions. If no agreements about how to bring about change are reached, mediators encourage parties to talk about next steps. These final two phases involve Lonergan's fourth level of cognition, that of decision.

Understanding the Concepts of *Cares* and *Threats-to-Cares*

Although Melchin and Picard talk about "cares and threats" in their book, *Transforming Conflict Through Insight* (2008), there is still much about these two concepts left to explore. At the simplest level, cares represent the things that matter to us. Insight mediation does not understand a care to be a feeling of attraction or appreciation for something. A care is not the experience of caring. Rather, a care is better understood in terms of Lonergan's analysis of the structure of the human good.

Lonergan has a lengthy discussion of "the notion of the good" in *Insight* (Crowe and Doran, 1992). At the first level, we experience the good as an "object of our desires." Here the good is experienced as something we want (a new job) or do not want (to lose our job). Objects of desire can be experienced as pleasurable and satisfying or as painful and unpleasant; they can be good or they can be bad. Objects of desire vary among humans. Lonergan believes, however, that people share a desire to know that is independent of individual likes and dislikes or wishful and anxious thinking (Crowe and Doran, 1992). In the conversations of a mediation session, if threats-to-cares can be articulated and shifted through insight, then parties can regain curiosity, unleashing the desire for understanding. New understanding is what shifts parties toward cooperation and collaboration and is a precursor to bringing about change for the better.

When we seek to realize our objects of desire, we move to the second level of the human good. Here, what we understand is that our desires implicate us in patterns of personal relations. Understanding our desires involves understanding these relations. The excitement of our first job, for instance, likely involved the fact that we were earning our own money. Later, we come to understand that there is more to work than simply earning money; there is quality of life, good working hours, friendly coworkers, recognition, a sense of fulfillment, and so forth. These all involve wider sets of personal relations. What we understand are the recurrent patterns of dynamic and intelligible interactions that Lonergan calls *goods of order*. Goods of order are found in our social institutions, structures, and systems. They are also involved in families, work or sports teams, organizations, and social groups, as well as the more overarching patterns inherent in culture, religion, and politics. Melchin refers to this as a "second level of moral meaning" (1998, p. 58).

These patterns of social relations are often expressed in the form of narratives, and narratives have a temporal or dynamic character to them. We consider present actions in relation to past experiences that anticipate future outcomes. We involve ourselves in social relationships in ways that recall these past experiences and we shape our expectations of present and future relationships accordingly. These patterns of social relations and accompanying narratives set the direction for our decisions and actions.

There is a third level to the human good that Lonergan calls *value*. Value to Lonergan means something quite different from the more colloquial usage of the term. Values are not static or abstract concepts, such as *honesty*, *loyalty*, or *timeliness*, that are possessed like commodities. Instead, values are judgments about whether our narratives are reliable indicators of progress or decline. Values involve us in the reflective process of scrutinizing our narratives and social relations and asking whether things truly do get better or worse (Melchin and Picard, 2008). Lonergan's use of the term *value* refers to something more than experiencing individual objects of desire or patterns of social relations. Instead, values operate at "the level of reflection and judgment, deliberation and choice" (Crowe and Doran, 1992, p. 620). Values are judgments about the validity of the narratives that express patterns or systems for ordering the satisfaction of human desires; they can be embraced or rejected. Melchin (1998) identifies this third level of moral meaning as one in which we make judgments about whether these social obligations are "truly good" or not. In other words, values involve us in judging whether we are doing the right things.

There are several important features of values. First, values are judgments about the narratives that express how we relate and ought to relate to others. Value narratives arise through our experience of past events, they "situate us within particular interpretations of the present that lead to specific expectations of the future. They project images about how to work within these social relations and what we ought or ought not to do to help social life function at its best" (Melchin and Picard, 2008, p. 86). Behind conflicts lie interpretive frameworks, or what Lonergan would call *horizons*. Helping people in conflict involves searching through past experiences to discover the frameworks parties are using to interpret the events of the conflict. Each party brings his or her own past history to the conflict, and this past provides the resources for understanding the actions of others in the present. It also projects a set of future expectations onto events, and these future projections evoked by past images are what carry the sense of threat. Discovering how the past images and future expectations of threat are linked to present events can be important points of insight.

A second feature of values is that they are carried or implied in feelings. Because values take the form of judgments that assign worth, blame, praise, or value, they are deeply embedded in feelings. Feelings orient us in the directions implied by our narratives. They evoke our experiences—both past and present—as well as imagined futures. Positive and negative feelings are signals about whether the things we cherish—our deepest sense of the way things should be—will be affirmed or violated. Values are carried or implied in feelings. Because values take the form of explicit or implied judgments about narratives that assign worth, blame, praise or value, they are deeply embedded in feelings. Feelings orient us in the directions implied by our narratives. They evoke our experiences—both past and present—as well as imagined futures. Positive and negative feelings are signals about whether the things we cherish—our deepest sense of the way things should be—will be affirmed or violated. Values are carried in feelings, or to say this differently, feelings *intend* values—they orient us in the direction of our values. And they do this whether or not we understand the values intended in the feelings. Feelings of pleasure may indicate that our desires are met or that a pattern of social relations is reinforced.

Feelings of aversion may carry a signal that a value narrative is being disrupted. Most often, the value narrative itself is obscure, but the feeling is not.

A third and related feature of values is that they are closely connected to a sense of identity, of how one should be in the world. This helps to

explain why individuals can experience profound threat over what may at the surface appear to be a trivial matter.

In insight mediation, cares encompass Lonergan's entire notion of the good—objects of desire, goods of order and values. All three act on and influence how we interpret the things around us and the decisions we make on how to act. So when insight mediators talk about cares they are talking about the full gamut of what motivates us as human beings, including interests, needs, desires, feelings, experiences, background, culture, religious or political beliefs, values, and so forth. The concept of a care also includes personal concerns, desires relating to the realization of patterns of social relationship and judgments about what is right. It embraces the notion of "what I want" with the deeper yearning to reinforce "the way things should be."

It follows that the concept of *threat* contains the notion of *disorder*, or a perceived negative disruption to an expected pattern of social relations or personal desires. Threats-to-cares occur through our interactions with others based on the meanings that emerge from interactions or non-interactions, verbal or nonverbal exchanges, and so forth. They can be real or they can be perceived to be real. They often emerge from incomplete or incorrect interpretation of others. They can be reduced or escalated through dialogue. It is for this reason that insight mediators are particularly focused on helping parties to understand the experience of threats-to-cares that lie at the heart of their conflict dynamic.

Although feelings of threat are at the root of a conflict, the parties involved may not be aware of the deeper desires, expected patterns of cooperation, or values underlying these feelings, nor have they understood the role of these feelings in their actions. Getting insight into what these feelings are about helps parties make sense of what is motivating their demands and the demands of the other party. Because insight mediators understand that values are carried in feelings, they pay attention to expressions of feeling that indicate threat. The insight approach regards emotion as fundamental to the understanding of conflict, because of the role that emotions have as carriers of values, cares, and threats. Emotions signal the presence of something important. Instead of believing that emotions need to be limited, feelings evoke insight mediators' curiosity about "why things matter" (Melchin and Picard, 2008).

Learning What Really Matters Through Deepening Conversations

Deepening is a complex form of interaction that occurs as a conversation during mediation. It involves the use of a variety of specific communication

skills and strategies that characterize the insight approach, such as reflective listening, exploring questions, transparency, responsive intentionally, linking, de-linking, verifying, acknowledging, making sense, finishing, and using. Before going further with this discussion, it is important to make absolutely clear that it is *not* the mediator who is leading the conversation. It is the party who leads, with the mediator following and trying to understand parties' intents, interpretations, and responses, a concept Melchin and Picard (2008) call *responsive intentionality*.

The concept of responsive intentionality intends that a mediator is not the center of the meaning-making process that unfolds in the mediation. The parties are the center because they are the authors of the meaning-making that formed the conflict dynamic and the authors of how it will be resolved or managed. Rather than leading the parties in the dialogue, the mediator is responsive to them, following their narratives and cues as to what is important.

Insight mediators do not just follow, however; they are intentional in their interactions with the parties based on a learning theory of mediation that informs their choice of strategy and actions. In addition, and because insight mediation is grounded in learning, insight mediators are deeply antithetical to a directive approach. Transformative mediators (Bush, Baruch, and Folger, 2005) share the concern with insight mediators about being directive in mediation. An obvious problem with being directive is that mediators impose their cognitional frameworks on the parties by assuming that they know the answer to a party's problem. As a result, mediators can try to lead parties to their own preferred solution rather than facilitating a solution that comes from the parties themselves and is thus more consistent with the party's circumstances and values. Another example of being directive that may be a little more subtle is when a mediator tries to change what one person thinks about the other by getting that party to see the other's point of view. While likely not intended, it can create the experience of one set of viewpoints being of less value than another.

In contrast to being directive, the insight mediator's intention is to pay attention to the process by which the parties have made meanings in the conflict situation and to help them elaborate the complexity of their experience and meaning-making in ways they were not able to do previously, and that in fact would be very hard to do while feeling the need to defend their cares. Responsive intentionality is about following the parties in their conversation, listening for and understanding what matters to them, and discovering how parties' intents and interpretations may have been misconstrued.

The term connotes that the mediator acts with intention—not on the basis of a prescribed model, but because he or she is attending to and responding to the messages of the parties.

To elaborate further on the various aspects of a deepening conversation we offer the following case study and dialogue of a simulated mediation session.

The Case of Wedding Bell Blues

A father and daughter are in conflict over the daughter's decision to get married at her family's summer camp rather than in their local church. The mediation has moved through the first two phases, *attend to process* and *broaden understanding*, to build rapport and develop an atmosphere of safety. Through these phases the mediator has also begun to uncover some of the conflict narratives, hopes, and feelings and has moved into stage three, *deepen insights*. It needs to be emphasized that deepening rarely occurs in the early phases of mediation; it occurs when sufficient rapport has been established and parties are beginning to show signs of curiosity about each other. We enter the dialogue at the point when the father says,

> It really disturbs me that my daughter does not want a church wedding, so much so that I haven't been able to talk with her about it for weeks! It is beyond me what she sees in being married outside of our church and quite frankly it is not only upsetting me but also my wife. I am totally stymied and frankly can't understand why she is being so self-centered!

In this scenario, the insight mediator understands that feelings are signposts that point to a value; therefore, the father's feeling "disturbed" indicates a threat-to-care. She begins to deepen—that is, explore what she interprets as the appearance of a threat-to-care—by acknowledging the feeling and exploring it. She verifies her understanding with the party and elicits further insight about the threat-to-care by saying, "This has been hard for a while now." (Her body language and tone convey a verifying question: "Is it so?") The father nods.

The mediator continues with a skill insight mediators call *bridging*, which involves the mediator in verifying understanding by paraphrasing followed by a layered question that seeks further insight: "Clearly, having very different views about the wedding is upsetting and confusing you.

What is so upsetting that you find it hard to talk to your daughter about what you think and feel?" (The mediator begins to explore a threat-to-care.)

The father replies,

> Well, for one thing, it can't be a "real" marriage if it is not held inside the church. Can you imagine: she wants to be married on the beach at our summer camp! That kind of wedding is for kids—not mature, responsible adults. It is ridiculous and scary at the same time.

The father's expression of incredulity and fear is an indicator of more strong feelings pointing to a deeply held value. The mediator once again uses bridging by verifying her understanding and seeking further insight into the operations of the father's meaning-making and the value narratives that underlie his feelings. "Ensuring your daughter's marriage is legitimate is clearly important, which is why you are so worried by her wish to have the wedding at your summer camp and not in your local church" (listening response). "Perhaps you could talk more about what you think will be lost if it were to take place at your summer camp and not in the church" (continuing to explore a threat-to-care linked to imagined dire outcome).

He answers her question about the threat, saying, "Well, for one thing, her mother and I are strong Catholics and her marriage would not be recognized by the church if she isn't married by a priest. For another, none of our neighbors would be able to attend if it is at the summer camp. I know they expect to be invited—it is the way we do things in this neighborhood" (expression of a value at the level of normative patterns of interaction).

The mediator notices that there are several meanings now associated with "church wedding": recognition by the church and participation by the neighbors are two of them; identity is a third. Based on her theoretical knowledge of insights, and the narrative structure of values, she explores the father's certainty of dire future by asking, "And if her marriage is not recognized by the church, and your friends cannot attend, what do you think will happen?"

The father responds,

> Well, she would be living in sin and would no longer be accepted by the church, which would alienate her from the friends she grew up with. Not only that, it would make it very difficult for my wife and me to face our parish priest and all of our friends in the neighborhood.

The mediator notices the party's certainty that the consequences of his daughter's action will be social isolation for his daughter, for his wife, and for himself. She is curious about his certainty and prefaces her question with verification of both emotion and content followed by a layered question that intends to deepen the conversation:

> So a worry for you, and one that is really troubling you, is how hard it will be for your daughter to retain her good reputation with the neighbors if she marries outside the church, and how difficult it would be for you and your wife to face your friends and the priest. What do you imagine they will think about you that would make it hard for you to face them and for your daughter to live in the neighborhood?

The father answers,

> This might sound odd to you, but we live in a small, very old-fashioned, tightly knit Catholic neighborhood and we think people would say we're not good parents if we allowed our daughter to be married by someone other than the priest. We worry that the neighbors would talk about her behind her back and that she would lose their respect and be shunned, if not to her face, certainly behind her back. She is such a loving and sensitive person that I know it would hurt her if that were to happen. Trust me, I know what it is like to be shunned. When we moved here from Eastern Europe I had to work hard to earn my neighbors' respect and I never want my child to have to go through the experiences my wife and I had! Besides, someday she will inherit my business and she and her husband will need to have the respect of the neighborhood if they are to succeed.

The mediator understands that additional threats-to-cares have emerged: the father's concern for his daughter's reputation and for her future. The mediator needs to *finish* (another insight mediation skill) deepening work with the father by exploring with him whether there is anything more he needs to say about his threat. She asks, "These are deep concerns for you; what else would you like your daughter to know about your concern for her reputation and for her future?"

The father replies,

> Well, I do want her to know that she's my only child and I love her very much, which is why I want her to have only the very best in life. And

> that in this neighborhood reputation is a big part of that happening. I need to make sure that she's okay. And I don't mean just today, but for the rest of her life as well.

There are some very significant aspects of this deepening conversation. First, through deepening, both the parties and the mediator have learned more about the meaning-making of the father with regard to his daughter's decision to get married outside the church. They have learned of his certainty of a dire outcome that includes social isolation for himself, his wife, and his daughter. These certainties are deep threats that were not apparent in his presenting desire for a church wedding. This is not to say that the social isolation and positive regard for his parenting are the only real issues in the conflict; the location of the wedding is still a real issue that needs further exploration. Deepening is beginning to enable exploration and understanding of the complexity of meanings that infuse this father–daughter conflict. By following the father's meaning-making process it is becoming clearer how he has linked a non-church wedding to the certainty of threat.

The father is certain that the summer-camp wedding will threaten his daughter's reputation, and in turn harm her in the future. We see the values narrative operating in this certainty. Furthermore, his past experience has developed a normative narrative of what good parents, and good daughters, should do. The deeply held values narrative and identity of a "good parent" are being disrupted by his daughter's decision, resulting in a strong aversive feeling. Although he may not be aware of the link between "good parenting" and "church wedding," he comes to understand this link through the mediator's efforts to follow the process by which the meaning has been made.

Another aspect to point out about deepening is the importance of *linking*. Links are the implicit narrative or cognitive connections (direct insights) that are made among cares and threats in the present, past, or future. For example, the mediator seeks to understand the link between "church wedding" and "good parenting" by asking about the imagined future. Links are also made with reference to the past. The father's past experience with the neighbors is linked to his imagining a dire future for his daughter. When the cognitive or narrative links are made explicit, there is more opportunity to de-link (an inverse insight) the inevitability of the threat connections to form new possibilities. The father may begin to wonder whether the links between good parenting and a church wedding are necessary, or how his cares (commitments to patterns of social relations) might be addressed in other ways than he originally thought.

Finally, it is important that the mediator *uses* (another named skill in insight mediation) the information she has gathered to gain insight into how the daughter's cares threaten the father's cares, in other words, the *interactive dynamic* of threats-to-cares. The mediator chooses to use the insight that the father is experiencing a threat related to his narrative of good parenting because it is so directly connected to the relational dynamic with his daughter. The mediator uses this insight by saying, "So, one of the reasons why a summer-camp wedding is so disturbing to you is that you're worried about your daughter's future and her reputation."

The father says, "*Yes!*" and visibly relaxes because something that matters to him has been heard and understood.

The mediator continues, "How much do you think your daughter understands your worries for her future?" The father answers,

> I don't know, probably not much. To be honest, I'm not sure I understood this myself, and we haven't talked much since she told us she wants the wedding at our camp. We try, but just end up making each other angry and that ends the conversation. I miss talking to her. Sometimes it seems like I am not only going to lose my friends over this wedding, but my daughter, too!

The mediator verifies her understanding once again, "Clearly, your relationship with your daughter is deeply important and not being able to talk to her about something as significant as her wedding is very troubling; this is further compounded by the fact someone so important feels so disconnected from you right now."

The mediator wonders if now might be a good time to bring the daughter back into the conversation. Knowing how hard it is to listen while feeling the need to defend a value, she is particularly curious to know how much of what her father has just said the daughter has heard and understood. And, because the father is feeling heard and likely more open to listening, she thinks this might be a good time to begin exploring and deepening on the daughter's meaning-making and threats-to-cares. To make this transition she says to the father,

> I wonder if this might be a good time to check in with your daughter to see what she has heard you say about your concerns for her future, which have surfaced through your different visions of the wedding. Once we know that your daughter has heard your concerns, I am going

> to ask you to listen carefully to what matters to her about the wedding. When you each understand more fully what the wedding means to each other it will be easier for the two of you to generate new ideas for how to achieve what matters in relation to it.

The father responds, "That sounds good to me; I would like to understand because I sure do not now!"

The mediator turns and invites the daughter to tell her father what she has heard are some of his concerns. This will help the mediator, and her father, determine the degree to which the daughter's interpretations correspond with the father's intentions. It is also a very intentional shift in the mediation process designed to bring the daughter back into the conversation. Engaging her once again allows the mediator to explore through a similar deepening process how her father's cares have created threats to what matters to her. "So, what are you hearing your father say about his worries that have surfaced through your upcoming wedding?"

At this point, the mediator has finished deepening with the father and is beginning to use the insights to invite the parties to collaboratively learn together. The mediator also knows that the daughter's experience of the conflict is different; she has her own cares and threats that will become clear through subsequent deepening with her. But, rather than beginning by asking her to share her views, which could elicit a defensive response to her father's story, which could put her father back into feeling attacked and needing to defend, she asks the daughter to first share with her father what she has heard him say. The mediator will likely verify this understanding with her father, and ensure that differing interpretations are clarified before beginning to explore the daughter's experience of threat.

The insight approach recognizes that once the father has had the experience that the mediator and his daughter are trying to understand what matters to him, it becomes far more possible for the father to listen to what matters to his daughter. It is important to stress here that although the father has had the opportunity to speak first, his threats and cares do not alone determine the nature of the discussion in the mediation. Insight practitioners are trained to understand that parties have their own distinct, specific threats and cares. Once the daughter has made the effort to understand her father, the mediator would spend considerable time exploring the daughter's threats-to-cares that are likely to be very different from her fathers. It is only through deeply exploring both distinct points of view

that parties can more fully understand the conflict dynamic between them and begin to make changes in their patterns of interaction.

Linking Our Case Study with Insight Mediation and Deepening

Insight mediators know that it would not be surprising to discover that the daughter, listening through her own cognitive schema, would have generated threat-based certainties about her father and his motivation: "My wedding day will be ruined because of his old-fashioned ways!" One of the features of certainty based on threat is that it closes down the daughter's curiosity, so that she is less able and less interested to learn about her father. She is more focused on defending herself against him. By listening to the mediator learn, the daughter has the opportunity to gain both kinds of insight—*inverse* and *direct*. She can have an inverse insight when she understands that her father is not motivated to ruin her wedding day, allowing her to be curious: *If it's not about ruining my wedding, then what is it about?* She can have direct insight by understanding that he is afraid he will not be recognized as a good parent and that he is worried about her future. An important point to mention here is that the daughter does not gain insight by virtue of the mediator's insight. Insights come of their own accord to the mind that is willing to receive them. Insights are the responses to questions, so first the daughter needs to become curious. Curiosity develops as the daughter feels less threatened, which is a process that begins in the first stages of mediation and continues through the deepening process to the point of being able to take action.

In addition to the daughter and the mediator, the third person engaged in learning is the father. In coming into the mediation, he is aware that he is disturbed about the possibility of a summer-camp wedding, but he may have little understanding as to why he is so disturbed. In addition to closing down curiosity toward his daughter, the father's threat-based certainty is likely to have closed down his curiosity toward himself. He knows he does not like what is being proposed, and his certainty ends there. The mediator's questions invite the father to pay attention to his own experience and in doing so gain insight into the threats that have left him feeling so disturbed.

Unfortunately, being curious does not always elicit the response one would expect. In some instances, rather than expanding understanding it can cause a party to become more defensive and closed. Mediators can find that they have asked a question that seems to entrench, instead of lessen,

the parties in their threat-based certainty. In this case certainty is operating at the level of *judgment and decision* about the conflict rather than *experience and understanding* of it; insight mediators are trained to notice this. In response, they wonder about it and ask, not about the certainty of the party, but about the party's *experience* and *understanding* of the event. Although at first glance this may seem like a subtle difference, it is quite substantial. Asking about certainty (the product of knowing) often engages parties in a pattern of dialogue where they feel the need to defend their knowing. While not intending it, mediators' questions can be interpreted by the parties as a challenge to their knowing, or, as we are calling it, a threat-to-care. This is why an insight mediator would try to stay focused on the level of meaning-making, rather than knowing, in an effort to facilitate learning and discourage debate.

Recall that in our case study the mediator noticed the expression of strong feelings that intend values—the father's upset at the notion of a non-church wedding. The father's certainty—his judgment and decision—was intricately connected to the feelings that reinforced the necessity of his certainty about dire outcomes. His feelings fuelled his certainty and limited his curiosity. His knowing could be faulty given that he had not yet verified his understanding (he had not been able to talk to his daughter about his fears). By developing an expertise in noticing the operations of knowing, the mediator helped the father retrace his steps of knowing. In doing so, the father came to understand himself better. In turn, the daughter heard a new set of data (experience) on which to base her understanding of her father. The mediator will also engage in a similar deepening conversation with the daughter that will likely help her retrace her steps of knowing and discuss the impact of hearing her father's concerns in the previous dialogue. In this way, father and daughter will have the opportunity to talk about what deeply matters to each of them in their conflict over plans for the wedding, as well as be able to discuss their interpretations linked to their threats.

Clearly, there is vulnerability inherent in deepening. In our case study the father was being asked to discuss things that mattered deeply and that were being threatened. His feelings were being acknowledged. His security in his certainty could shift to a more uncertain place of meaning-making, which could make him feel exposed. Because of this vulnerability, a mediator needs to be sensitive to how a party can experience the interaction, and recognize that it is possible that a party could experience deepening as a threat. The mediator needs to pay attention to the party's verbal and nonverbal cues

of discomfort, should they arise, and ask permission to continue a conversation that may be difficult. The mediator cannot "deepen for the party's own good"; to do so would be directive and disrespectful to the party. Were this to happen the mediator would have stopped being curious about the party's meaning-making and become a problem-solver who is certain about what is best for the party. A mediator needs to maintain her commitment to curiosity in the face of her own desire for certainty.

When doing deepening work a mediator also needs to be transparent in the purpose of her actions in the mediation process. This is another reason why self-reflection is so important for a mediator; it permits a mediator to understand what she is doing so that she can more ably explain her actions to the parties. Her capacity to explain is important to building trust and minimizing defensiveness. Engaging parties in deepening conversations requires skill and practice on the part of the mediator.

Concluding Thoughts and Looking to the Future

To recap, we have tried to show through a simulated dialogue how deepening is a learning process by which the parties elaborate the meanings involved in the conflict. The mediator pays attention to the parties' operations of learning in the creation of the conflict; everyone is engaged in a learning endeavor in the present. They experience the data unfolding, create meaning, gain insight, verify new understandings, and make new decisions as part of the overall mediation process. We have also tried to show how deepening leads to new collaborative possibilities. Responding to the mediator's curiosity, parties discover how each set of cares are being threatened and gain insight as to whether it is necessary and certain for their cares to be threatened as part of their interaction. Often, the parties discover that threat is not necessary, nor is it certain. Once the certainty of threat has been transformed to uncertainty, parties become curious to learn from each other how their cares can coexist. When threat is lessened in the interaction, the parties can find new possibilities with relative ease.

Insight mediation is distinct in the field of conflict resolution because of the deep theoretical roots and profound spirit of inquiry informed by Lonergan's work. In observing the process by which we come to know, Lonergan offers a powerful lens through which to view conflict and its transformation. Lonergan's understanding of value narratives and of the manner in which feelings intend values have contributed enormously to the development of a practice of mediation that can address conflicts

touching the deepest parts of human experience: our values, our feelings, and our connections to self and others. This article has taken up the spirit of Lonergan's work by offering mediators new tools for thinking and practicing in the field of conflict transformation. It also offers Lonergan scholars an opportunity to reflect on applications of Lonergan's work to some of the pressing and difficult conflicts of our time.

Another promising strand of our work is to explore insight mediation in relation to the work of organization, learning, and change theorists such as Argyris and Schon (Argyris, 1971; Argyris and Schon, 1974), Mezirow and associates (2000), and Merriam, Caffarella, and Baumgartner (2007). These connections further support the learning approach that insight mediators practice as part of their conflict intervention work. It is our hope that as we continue to describe our experience and understanding of the insight approach, we broaden the opportunity to verify through productive exchanges with others. In turn, we also aspire to spark the opportunity for more interactive learning by which new insights into the nature of conflict and its resolution can be generated for ourselves and others, as well as for those to come.

Notes

1. See Bush, Baruch, and Folger, *The Promise of Mediation* (2005), and Folger and Jones, *New Directions in Mediation: Communication Research and Perspectives* (1994), for a discussion of relational and individualist ideologies.
2. For a more thorough explanation of Lonergan's operations of learning and the later discussion of direct and inverse insights, see *Transforming Conflict Through Insight* by Melchin and Picard (2008). Or go to the source: see *Insight* by Lonergan (1957), as well as Crowe and Doran (eds.), *The Collected Works of Bernard Lonergan* (1992).

References

Argyris, C. *Management and Organizational Development*. New York: McGraw Hill, 1971.

Argyris, C., and Schon, D. *Theory in Practice: Increasing Professional Effectiveness*. San Francisco: Jossey-Bass, 1974.

Bush, R., Baruch, A., and Folger, J. P. *The Promise of Mediation: The Transformative Approach to Conflict*. San Francisco: Jossey-Bass, 2005.

Crowe, F. E., and Doran, R. M. (eds.). *The Collected Works of Bernard Lonergan: Insight*, Vol. 3. Toronto: University of Toronto Press, 1992. First published in 1957.
Fisher, R., and Ury, W. *Getting to Yes: Negotiating Agreement Without Giving In*. Edited by Bruce Patton. Harmondsworth, U.K.: Penguin Books, 1981.
Flanagan, J. *Quest for Self-Knowledge: An Essay in Lonergan's Philosophy*. Toronto: University of Toronto Press, 1997.
Folger, J., and Jones, T. (eds.). *New Directions in Mediation: Communication Research and Perspectives*. Thousand Oaks, Calif.: Sage Publications, 1994.
Lonergan, B. *Insight: A Study of Human Understanding*. New York: Philosophical Library, 1957.
Melchin, K. R. *Living with Other People: An Introduction to Christian Ethics Based on Bernard Lonergan*. Ottawa: Novalis, 1998.
Melchin, K. R., and Picard, C. A. *Transforming Conflict Through Insight*. Toronto: University of Toronto Press, 2008.
Merriam, S., Caffarella, R., and Baumgartner, L. *Learning in Adulthood: A Comprehensive Guide* (3rd ed.). Hoboken, N.J.: John Wiley & Sons, 2007.
Mezirow and Associates, *Learning as Transformation: Critical Perspectives on a Theory in Progress*. San Francisco: Jossey-Bass, 2000
Picard, C. A. "Learning About Learning: The Value of 'Insight.'" *Conflict Resolution Quarterly*, 2003, *20*, 477–484.
Picard, C. A., Bishop, P., Ramkay, R., and Sargent, N. *The Art and Science of Mediation*. Toronto: Emond Montgomery, 2004.
Picard, C. A., and Melchin, K. R. "Insight Mediation: A Learning-Centred Mediation Model." *Negotiation Journal,* January 2007, *23*(1), 35–53.
Sargent, N., Picard, C., and Jull, M. "Rethinking Conflict: Perspectives from the Insight Approach." *Negotiation Journal,* 2011, *27*(3), 343–366.
Winslade, J., and Monk, G. *Narrative Mediation*. San Francisco: Jossey-Bass, 2000.

Cheryl Picard, Ph.D., is a full professor in the Department of Law at Carleton University, Ottawa, and director of the Centre for Conflict Education and Research. She has worked for over three decades in the field of mediation as a teacher, researcher, and practitioner. Her e-mail is cheryl_picard@carleton.ca.

Marnie Jull has worked in the field of communications and conflict resolution in a variety of contexts for over fifteen years. She currently works for the Government of Canada and is an alumna of the Graduate Certificate in Conflict Resolution at Carleton University. Her email is majull@rogers.com.