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From Identity to Singularity: Fundamentals of Interaction in Mediation

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Abstract

This article analyses the fundamentals of interaction during the process of mediation within the contemporary identity discourse. It describes facets of identity formation as well as the destructive potential of fixed binary positions. It advises the mediator to overcome the divide that separates parties by appreciating their respective positions and it does this by explaining the dynamics of fixed positions or identities and by establishing how to find a win-win situation for both protagonists as they learn to perceive and to respect one another as individual persons and as unique singularities.

1. Introduction

During the actual, ongoing Russia-Ukraine war, as in WW I, trenches are being dug out by both warfaring parties, opposite one another. There, soldiers hope to find shelter and relative safety. As soon as they venture out of their trench, however, they risk getting killed. The trench offers safety as well as potential death.

Hundreds of thousands soldiers have been – and still are – killed in this way. Yet it is a historical fact, that on Christmas eve, 1914, both German and British troops

left their trenches at the same time, albeit briefly, to drink a Christmas toast together.

In the practice of mediation, as we all know, conflicting parties deal with one another each from their own, opposite trenches. Parties consist of married couples, of political parties, of labour unions versus employers, and even of nations such as Israel-Palestine, or Ukraine-Russia. Parties, usually, identify with their own position, each without empathy or appreciation for the other. Frequently, the 'trenches' have already been dug out solidly, sometimes even historically. Parties, rigidly, tend to hold on to their respective identities within the binary perspective of 'I' versus 'you', of 'us' versus 'them' (Tophoff, 2020; 2022). This paradigm does not allow for flexibility, let alone change.

How does the mediator manoeuvre within this landscape of trenches? How can she incite parties to change and to leave their positions? How could she help them to reach an agreement which is satisfying for both sides? In this paper, analysing the mediation process, the direct benefits of the relative safety of 'trenches' will be discussed. Why are 'trenches' or identities built in the first place? How do they come into existence?

To contribute to the mediator's insight into these dynamics, first, we will describe the facets of identity which lead to this formation. We will do this within a context of developmental psychology. Second, within the identity discourse, we will highlight the threatening and destructive potential of fixed binarities in which sides take opposite binary positions. Third, in order to build a climate of trust and safety, and to overcome the divides that separate parties from each other, we will describe the development of a mindset that must be established by a mediator – a mindset which is characterised by a universalist view of human beings, honouring them in their singularities while transcending binarities and the boundaries of identity. Finally, we will suggest ways to help the mediator as well as his or her clients to constructively deal with these challenges.

2. Developmental aspects of identity

According to Erikson's (1968) classical definition, the ego's identity is the conscious sense of self, developed through social interaction. Identity as an integrated and cohesive sense of self is placed in opposition to identity confusion. Marcia (1980), refers to identity as an existential position, as an inner organisation of needs, abilities, and self-perception as well as a socio-political stance.

Identity is not a given, it gradually unfolds as the person develops from infancy to adulthood. Already the white infant discriminates between 'familiar' and 'strange' coloured faces (Baron, 2006; Kubota 2012; Sugden&Marquis, 2017). Marcia (1980) describes four ways in which identity is formed. 1) Identity achievement; the adolescent commits to identity choices after having explored diverse possibilities. 2) Foreclosure; commitment is chosen by parents, with no exploration by the adolescent. (3) Identity diffusion. This calls for little or no commitment and little or no exploration. (4) Moratorium, in which the adolescent is in the throes of an identity crisis and is involved in active exploration.

From a neuropsychological perspective¹, for a young adolescent it is difficult to make definite identity commitments since the frontal or neo-cortex of the human brain only matures fully around the age of 23 (Sandhu, 2013). Only then do well-balanced rational thinking and an identity commitment become completely possible. But identities might change even after maturity is reached. Personal identity is certainly not carved in stone. Over a period of time the entire gestalt may shift (Marcia, 1980: 159). New cognitive insights, or the experience of grave emotions, changes in the political, social or religious landscape may all be causal factors in facilitating identity change in the course of a person's lifetime.

For the mediator, confronted with the often seemingly rigid, unmovable positions of parties, it is fundamental to realise that identity positions can in fact change, and indeed have to change if an agreement is desirable. The mediator is instrumental in this process, which demands insight and endurance.

¹ For a discussion on neuropsychological aspects relevant for the mediator's functioning cfr. Tophoff (2019).

The achievement of identity correlates positively with psychological wellbeing (Quintana, 2007). Identity confusion, on the other hand, is positively associated with depression (Bogaerts, 2011). Committing oneself to a personal, ethnical or/and religious identity appears to have a protective function for the individual (Umaña-Taylor, 2011). Kroger (2005) demonstrated that identity achievers show high levels of self-esteem, low neuroticism, high conscientiousness and extraversion. The identity of self is mutually reinforced within the context of one's own group. It offers a sense of belonging through attachment and active commitment (Phinney, 2007). In this way, one's own identity group becomes a clan, a tribe. When the tribe is a minority, however, it risks becoming marginalised and dissociated from mainstream.

In the contemporary, neoliberalist discourse, tribalism is often welcomed under the general umbrella of 'inclusion'. Woke capitalism has meanwhile colonised concepts such as 'inclusion' and 'diversity'. It has, as Neiman (2023)² posits, hijacked diversity in order to increase profit. Here, the person is reduced to the prism of her marginalisation (Neiman, 2023: 5). Reducing a person to her identity, or reducing entire groups to their tribes, is a social and ethical injustice. It is a firm denial of a person's unique being, a denial of her singularity.

3. The dynamics of identity

Like the trench which offers relative security for the soldier at war, identity, too, be it personal, ethnical, religious, political, or in the woke spectrum of LGBTQ+, offers protection, safety, security, and a sense of belonging. The dynamics of identity, however, imply 'othering', the creation of difference, where the 'I' stands for safety, and the 'you' for otherness and distance. On the one hand, there is the need for security, based on anxiety arising from the potentially threatening other.

² The white philosopher Susan Neiman, for example, transcends tribalism and supports the Black Lives Matter movement not from tribal membership, not from guilt about wrongs committed by her ancestors, 'but because killing of unarmed people is a crime against humanity' (Neiman, 2023: 27).

This leads to aggressive impulses being frequently manifested. The need for security and protection increases as we feel growing levels of insecurity or anxiety. As in a vicious circle, the more aggression a person perceives in the outside world, the more compelling the need for safety. Once within a secure trench, within a rigid identity, the more the other is perceived as a threat. The threatened other tends to respond with counter-aggression.

Within the identity paradigm, the balance of the need for security and protection on the one hand, and aggression on the other, does necessarily lead towards an impasse. This is the reason why conflicts, personal, political or military ones, often seem endless. Not only do they seem endless, the net result of warfare by trenches is minimal. If there is any gain to be obtained at all, it is frequently at enormous costs. Sometimes political, religious and military conflicts are continued for generations.

For the mediator to be effective, a deep understanding of these dynamics is essential. Only through such an understanding of identifiable positions and an open, horizontal communication between opposing parties might mediation become an option.

4. Transcending binary perspectives and changing clients' mindset.

Understanding of these dynamics by the mediator, essential as it is, is not enough. In order to foster a climate of open communication between opposing parties, the mediator has to develop a non-binary mindset, where clients' trenches are breached. The mediator needs to: 1) Appreciate the validity and the seeming security of the positions of opposing parties; 2) Explain the dynamics of identity; 3) Establish a win-win option.

4.1. Appreciate

The mediation process starts with a validation of the parties by the mediator. Validation is operationalised by the mediator's explicitly worded appreciation for each one's position. By being appreciated, parties feel acknowledged and, slowly, a climate of positivity can be allowed to come into being. Genuine appreciation is

embedded in empathy. Empathy, in meditation, is not just a personal feeling. To be constructively effective, empathy has to be actively operationalised³ in direct communication by the mediator.

Appreciation fosters and augments safety. At this point, there is no need for parties to leave the trenches or to shed identities. On the contrary, security of each one's shelter is emphasised and welcomed⁴. Here, appreciation of differences functions as a base for interpersonal contact. Without this foundation no constructive development of a dialogue between parties is possible.

It is important for the mediator to take her time. Appreciation must not be worded in general or vague terms. Parties must genuinely become aware that they are specifically validated and appreciated in their unique and singular ways. As the mediator communicates appreciation towards both parties, each party, on hearing this, might start to slowly open up to a process of understanding and insight, and a basis for future effective communication may start to be established.

Appreciation, however, not only has to be meaningfully communicated, it also has to be received. It is only when it becomes evident that the message is truly received by both parties that the mediator can proceed to the next phase.

4.2. Explain

There is no mediation without emotion. Indeed, levels of emotional arousal may run high in both parties. Emotions, here, are frequently of an aggressive and hostile nature. These negative emotions are incompatible with constructive outcomes. Parties interchange verbal bombs and drones, each from their own trench. Quietening down high levels of arousal is a necessity. Effective instruments for the mediator to achieve this have recently been described (Tophoff,2022).

³ In Buddhism, operationalised empathy is called compassion.

⁴ In the Japanese martial art of *aikido*, 'welcoming of the enemy' is a fundamental strategy (Tophoff.2013).

In order to help clients in understanding the fundamentals of conflicts in general, and of their special conflict in particular, it is important that the mediator takes time to explain the concepts of identity and its dynamics. As mentioned, it is important for the mediator to emphasise the dialectics of the 'I' versus 'You' as the general cause of any conflict. As conflicts frequently involve aggression of whatever kind, parties seek security by building trenches which, in their turn, become traps.

Holding on to one's identity reinforces the position of 'the other', eliciting anger and hostility. In order to reach a mutually satisfying agreement with the other party, it is necessary to eventually transcend the boundaries of personal identities.

4.3. Establish a win-win situation

After having appreciated each one of the clients divergent positions, and after having explained the dynamics behind the 'I' versus 'you' paradigm, which always leads to a negative outcome and frequently to an exacerbation of already existing problems, the mediator, together with her clients, will look for constructive and satisfying alternatives. Her clients, by now, have understood the dangerous and destructive qualities of trenches. They have gained insight into the desirability to transcend their own positions in order to arrive at a solution beneficial to both.

These alternatives must constitute a win-win situation. Both parties, in the end, must be able to safely leave their respective trenches without feeling threatened. Both must gain an insight of the benefits of a commonly agreed solution, valid for both, which transcends separate positions. Leaving one's – imagined – safety behind, and terminating the identification with one's identity, requires courage and stamina of both parties involved. Likewise, this is a challenge for the mediator, in two ways.

First, she has to infuse the clients' positions with trust and safety. Second, the mediator has to be able to come up with an alternative, an 'out-of-the-box' concept, valid for both parties. This concept should be an over-arching theme, a concept which both acknowledge, a concept which implies a win-win situation for

both. As an example, I refer to what happened on Christmas eve 1914 in WWI. There, 'Christianity' has become an overarching concept, recognised by both French and German parties. Celebrating the birth of Christ by both Christian nations transcended national identities.

Other examples of overarching concepts would possibly include: 'peace'; 'relief'; 'end of misery'. Reaching 'the end of misery' by both parties implies a win-win situation.

Appreciating the positions of opposing parties, explaining the dynamics of identity, and establishing a win-win situation, will easily take 70% of the time of the whole process of mediation. The final goal of these activities is to build a vital connection between both parties, to construct a common ground. It is essential that the mediator's clients do experience and feel this communality. It is from this vantage point that they can look *together* at the problem.

5. Resolving a joint problem

In establishing a win-win situation for the parties involved, the mediator's clients start to share common ground. This common ground is the basis of whatever solution might be realised. The foundation of any possible solution consists of a common, overarching, general theme that has been established between them. Proceeding towards a resolution of 'the problem', it seems feasible to define what the problem really is. Often the problem presented is not the real problem. Frequently, behind the veil of 'the problem', hides another, deeper one, a need. When exploring this issue, the needs of both parties may surface. These needs must be made explicit and must be addressed by the mediator.

This leads to the challenging question of how these needs could be met. Within this framework, the mediator might raise the question of whether each party is ready to acknowledge the needs of the other. Would it be possible to have one's own needs met? Would it be thinkable to contribute towards meeting the needs of the other party?

The experience of giving and of letting go of former positions is often painful indeed. To acknowledge one's own needs as well as those of the other party, implies acknowledging one's own singularity – instead of one's rigid position, and the singularity of the other – instead of her or his fixed position. In this way, it becomes possible to perceive each other not as opponents in dangerous trenches, or as identities with a well-defined position, but as individual persons, as unique singularities. It is only by transcending the opponent's identity and by validating her singularity, that conflict resolution stands a chance of succeeding.

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