

(22) Towards a Theory of Practice: Mediators' Construal of Mediation Effectiveness Versus Actual Practice

Helena Syna Desivilya

Department of Sociology and Anthropology

Emek Yezreel College

Department of Human Services, Haifa University

This study was designed to elucidate the 'theory of practice' pertaining to mediation of conflicts. The focus was on mediators' construal of mediation effectiveness while juxtaposed with their actual practice of mediation. The influence of mediators' training, notably the "ideological" orientation of the training and of the mediation center with which the mediators were affiliated, and of their professional background on the conception of mediation success and the actual practice were also examined.

By and large qualitative methodology was employed in the current study. Ten active mediators in two mediation centers in the North participated in this study.

Their reflections concerning mediation effectiveness were elicited by means of semi-structured in-depth interviews. They were asked to define and depict effective versus ineffective mediation, relay their "successful cases" as well as "unsuccessful", describe and explicate difficult versus easy cases.

Mediators' reflection upon practice was contrasted with the actual practice by means of direct observation. Each of the study participants was observed while mediating two cases. Full protocols of mediation sessions were obtained by two observers, subsequently content-coded according to theory-based coding scheme. Initial results suggest that mediators' conception regarding effective mediation tend to be reflected in their actual practice: Mediators relating successful practice to emphasis on the process and improvement of the disputants' relationships, indeed devote great efforts to this component in their mediation session. By contrast, those linking effectiveness with outcomes, namely attainment of agreements do resort to directive tactics navigating the parties as efficiently as possible to reach such a goal, with much lesser concern for relationship and the mediation process. Mediators' educational and professional background, as well as the "ideology" of the centers with which they are affiliated, contribute to the mediators' construal and actual practice of mediation.

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