BREAKING THROUGH SELF-DECEPTION IN MEDIATION
ADR Section Program

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The work of the Duncum Center includes conflict intervention services and educational offerings through seminars, conferences and special courses designed for individuals, businesses, non-profit organizations, and churches. In addition, the Center offers a masters or arts in conflict resolution and reconciliation as well as a graduate certificate in conflict resolution. Cope is an associate professor in both programs.

Cope is the secretary to the Council of the Alternative Dispute Resolution Section of the State Bar of Texas, co-convenor of the Texas Mediators Training Roundtable, and a member of the Texas Association of Mediators and the Texas Mediators Credentialing Association. He is a past director of the Abilene Chapter of the American Red Cross, Disability Resources, Inc., and the Chisholm Trail Council of the Boy Scouts of America.
Breaking Through Self-Deception in Mediation
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Ever have a mediation party who doesn’t seem to grasp that he or she is part of the problem? Here are some ways to assist parties in overcoming their own self-deception on their way to collaborative problem-solving.

An Honest Look at Deception

Before we attempt to deal with the concept of self-deception, we should take an honest look at deception.

What do you know about deception? Frankly, you probably know a lot. In various ways and degrees, we spend a good portion of our waking hours trying to deceive others.

Yet, what is your most common answer to the following question:

Is deceiving others permissible?

Your most common answer, if you are as common as the rest of us, is “No.”

That answer is deceptive because most people can think of times that a little deception has been helpful. After all, isn’t it better to hide a few facts if it protects someone else? Is there ever a time when not being totally forthcoming is the best response to a question like “How do I look?”

Honestly, and I say that ironically, isn’t it easier to tell less than the truth, the whole truth and nothing but the truth sometimes?

What are some of the justifications for deception:

- To protect ourselves
- To protect others from third parties or even from our own actions
- To gain advantage in a competition
- To make life easier

The inherently ethical and moral dilemma is accepting these justifications within a social context. In other words, do I feel others are justified in deceiving me? Deception requires that we convince someone else that something false is true.

Thus, the questions revolving around honesty and truth within relationships continue to fuel philosophical – and even psychological – discussions.

Self-Deception is Troubling

So, if deception is our active behavior to convince someone else that something false is true, then self-deception is troubling. To self-deceive, I must convince myself that something false is true. Yet, if I know something is false, how can I be convinced that it is true? That question has presented problems for centuries.
The concept of self-deception looms as even a larger irritant when we begin to think of it in terms of moral value. We have standards in play all around us that condemn deception. Fraud has not only civil consequences, but can also lead to criminal charges. Perjury is a dangerous game, as well.

Even in the Ethical Guidelines for Mediators promulgated by the Supreme Court of Texas, aspirational goals are set for mediators.

10. Disclosure and Exchange of Information. A mediator should encourage the disclosure of information and should assist the parties in considering the risks, benefits, and the alternatives available to them.

Assumed in this statement is the idea that parties have a vested interest in shared information – and that the information is accurate. In fact, in a comment to Section 10 recommended by the Alternative Dispute Resolution Section of the State Bar of Texas, the mediator is given a deeper charge.

Comment. A mediator should not knowingly represent a material fact or circumstance in the course of a mediation.

Indeed, we as mediators have an important role in assuring the integrity of the things said and done at our mediation tables. But how do we deal with self-deception in one or more of the parties before us? Is the self-deceiver an immoral being? Or is he or she in violation of the understood terms of engagement?

Obviously, since the activities of self-deception are internal to the person, the mediator is at a disadvantage to deal with the condition. In fact, we are often deceived because of the convincing behavior of the party who is self-deceived.

Assuming there is a method to help defuse self-deception in a party, is there even a trustworthy way of diagnosing the condition? Probably not. Yet there are certain signs that could indicate its presence.

**Moments of Impasse**

Most discussions of impasse within the realm of mediation center on “ultimate impasse” and the sometimes extreme (and perhaps questionable) tactics mediators can use to break impasse.

In reality, a mediation is comprised of a number of related and sometimes intertwined moments of impasse. The experienced mediator unlocks these moments using skills in three categories: behavioral techniques, strategic techniques, and relational techniques.

Behavioral changes made by parties during mediation can be helpful. For example, if one of the parties has a history of interrupting the other, the mediator’s presence and guidance can help give structure to the conversation, allow both parties their voice, and possibly enable them in getting their stories heard.

Strategic techniques can also be a key to unlocking disagreements. Asking parties to change the focus of their discussions will sometimes bring new perspectives and openings to settlement. Often, simple communication skills can be strategic tools, as well. The mediator’s engagement in the communication process through reframing, summaries, and role-exchange exercises
may allow the parties to find areas of agreement.

Similarly, parties can often find their way to settlement when the mediator uncovers genuine relational ties that take priority over gamesmanship and controversy. This particular set of techniques can have tremendous effect on the outcome of the mediation when the parties have enjoyed a relationship prior to the conflict.

While all three of these skill sets are extremely valuable, a large number of mediations are side-tracked when one or more of the parties is trapped by self-deception. Unfortunately, none of the techniques have a high degree of success in dealing with self-deception.

**How Self-Deception Works**

In conflict, self-deception follows an act of self-betrayal. A variety of cover-up, self-deception is an internal mechanism that, like deception, is often activated to protect the individual.

Self-betrayal occurs in individuals when they recognize a feeling that should be acted on (or not acted on) and then fail to honor that feeling.

For example, a worker at a manufacturing plant makes a mistake on a special order by using the wrong base material. The supervisor noticed the mistake but was distracted by a phone call and didn’t call it to her attention. When the customer complained, the supervisor said, “I knew you were using the wrong material” and informed the worker that the special order would have to be redone at the worker’s expense. The worker believes that is a harsh result and challenges the supervisor. The supervisor persists and a conflict escalates. Even though the supervisor recognizes that he could have stepped in and prevented the mistake, he chooses instead to fix blame squarely on the worker.

This is a classic example of self-deception. First, the supervisor is aware that he could have taken action that he feels would have been appropriate – telling the worker that she had the wrong base material. Since he didn’t honor that feeling, he has betrayed himself. Second, that self-betrayal creates a problem for the supervisor. He wants to assign blame to the worker – and not himself. When the worker argues that he should share the blame, the supervisor can’t deny his part in the problem unless he can find some way to justify his actions (or, in this case, inaction) and deceive himself into believing that he truly is without blame. Therefore, the supervisor enters the zone of self-deception where he projects himself as blameless.

Sigmund Freud and those that enlarged on his theories tried to show explain self-deception as a disconnect between conscious and subconscious states of mind. Those ideas have proved largely insupportable.

**Self-Deception and Way of Being**

A good number of intelligent people through the years have debated this outcome from both a philosophical and psychological perspective.

C. Terry Warner has approached the problem from a philosophical standpoint and offers a more direct rationale for how self-deception can emerge and block potential resolution and reconciliation.

Warner explains his concepts using the model below:
BEHAVIOR

(above the surface) WAY OF ACTING
(what I might be doing, saying, thinking, or feeling)
(below the surface) WAY OF BEING
(how I am seeing others)

Responsive

Resistant

I see others as **people:**
- They appear just as real to me as I do to myself.
- Their cares & concerns matter the same to me as my own.
  - I actively **respond** to their humanity.
  - I invite **responsiveness.**

I see others as **objects:**
- They appear less real to me as I do to myself.
- Their cares & concerns matter less to me than my own.
  - I actively **resist** their humanity.
  - I provoke **resistance.**

Arbinger Institute, 2002
Basically, Warner is urging individuals to deal with their self-deception by insisting that we consider the social context in every decision we make. In other words, we must consider our “below the surface” perspective – the way that we choose to see people. He calls this our “way of being.”

When we begin to assign blame to others exclusively, we must present ourselves as blameless. (While apportionment of liability seems to work out in court, it isn’t too handy in personal situations.) Since we inherently realize that we’re not blameless, we enter the realm of self-deception. In the self-deceiving mode, we alter our social concept and begin to see people as objects, rather than as people.

In self-deception, we become resistant to others. We treat them as objects. As the model delineates, we:

- Begin to see others as being less “real” than we view ourselves and begin to distance ourselves from them
- Increasingly see the cares and concerns of others being of less value than our own
- Resist their humanity – they truly become “objects” in our thinking
- Push our resistance to the forefront and provoke others to resist us (the escalation factor)

When we treat others as objects, we begin to see them in one of three distinct roles.

- Vehicle: The other person is viewed as merely a “means to an end” – something to be used and disposed of or “parked” for further use.
- Obstacle: The other person is viewed as blocking me from my destination.

My main concern is planning and implementing his or her destruction.

- Irrelevant object: The other person has no value to me. While I might not be fixated on his or her destruction, I am unlike to expend any energy in accommodating them in any way.

Warner contends that the only way to deal with self-deception is to help people adjust their Way of Being to a responsive state. Once again referring to the model, this would mean encouraging the self-deceiver to see others as people and not as objects. This, in turn, would result in:

- Seeing others as being just as “real” as I am – having needs, fears, and appreciable motivations for what they do or don’t do
- Recognizing the cares and concerns of others and assigning them equal value to my own
- Actively responding to their humanity
- Inviting others to be responsive – thus breaking the cycle of resistance and escalation

Thus, the question for mediators becomes, how do we help people in the throes of self-deception adjust from a Resistant to a Responsive Way of Being?

**Recommendations for Mediators**

The time set aside for mediation is far too short to try to explain the theory of self-deception to the parties at your mediation table. However, the following questions could lead a self-deceiver to a point of revelation.

1. Within the boundaries of this mediation, who can settle this
matter? (Hopefully, you will have explained the workings of mediation sufficiently and the answer would be something like “The other party and I can settle this matter.”)

2. If that’s the way this process works, do you want to resist that? (In other words, “Do you not want to settle this?” If the self-deceiver expresses a desire to make progress, go on to question 3.)

3. Would it be possible to respond to the other party as a person? (Inevitably, the question will arise, “What does that mean?” The answer would reveal that the self-deceiver must work hard to evaluate the positions and interests of the other party at face value. Emphasize that doesn’t mean they accept the positions and interests, just simply recognize and try to understand why the other party is taking the position.)

4. If you are totally blameless, do you have anything to lose in simply responding in this way? (The parties don’t have to come to agreement. And, in most cases, a final decision can be made by someone else in arbitration or litigation.)

5. How can you express your positions and interests in a way that recognizes the other party as a person?

6. Can you recall a time before this conflict when things worked well between you and the other party? Describe the feelings you had at that time? If you had those feelings now, would it change your approach to finding solutions to this conflict?

Conclusion

A fair number of mediations come to ultimate impasse because one or more of the parties settle into a state of self-deception. Mediators can come to understand the underlying motivations leading to self-deception and develop methods of helping their clients overcome it.

Bibliography


http://plato.stanford.edu/entries/self-deception/
