

Developing Creativity and Intuition for Resolving Conflicts: The Magic of Improvisation

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Supporting Effective Agreement

Part I: The Art of Conflict Resolution

“You can not depend on your eyes when your imagination is out of focus.” Mark Twain



As any practicing dispute resolution professional will tell you, there are those moments during a mediation or negotiation when impasse occurs. A moment when all hope for moving forward seems to leave the room and all eyes turn to the mediator to come up with a brilliant technique. As a mediator, the moment may seem like an eternity as your brain races in search of an idea, a missed cue, a rabbit to pull from the hat. An experienced mediator will advise you to “be creative” or “use your intuition” to get the process moving again. But where does that creativity come from? How can you access intuition at a moment’s notice? Where in the training sessions do they develop your ability to improvise? Part One of this article will discuss the art of creative problem solving and the skills necessary for fostering creativity. Part Two will further explore some techniques for developing these skills and for incorporating a sense of fun into the work of resolving disputes.

Improvisation

"Improvisation is not breaking with forms and limitations just to be free, but using them as the very means of transcending ourselves." Stephen Nachmanovitch

Improvisation is intuition in action. As an improviser, you set out to solve a problem with no preconception as to how you will do it. You permit everything in the environment to work for you. In the words of Viola Spolin, the founder of

improvisational theater, “Creativity is having a greater capacity for experiencing your environment.” To fully experience your environment, you must listen. You must listen intellectually, emotionally, physically, and intuitively. Ask yourself, “What are the parties saying, what are they feeling, what is the temperature of the room, is there enough light, are the chairs hard to sit on, is there distracting noise outside, what is not being said.” Having the capacity to be present in the moment and be aware of all of the cues and all of the components of the session is the first step in improvisation.

Improvisation is not without limits. Improvisation is working within the limits we are given to resolve the problem. Improvisers are taught, “Improvise, don’t ad lib.” When you ad lib, you are removing yourself from the problem and just making things up. Ad-libbing is common in conflict situations where one party will begin to recite policies or laws or facts that are not relevant to the issues at hand. When you improvise, you see what is available to you and you use everything, animate and inanimate, to reach a creative solution. Improvisation requires some predetermined structure or rule just as a mediation or negotiation has a preset structure or process.

Creativity

“Creativity is more important than knowledge.” Albert Einstein

Resolving conflict demands creativity. Creativity requires the following abilities: openness, listening, acceptance, mutuality, risk-taking, trust, awareness, collaboration, and practice. These are the same skills required of an improviser. Improvisation requires you to be open to the ideas of others and accepting of what they offer. You approach the situation without preconceived ideas. This is the cornerstone of creative problem solving. This openness allows you the opportunity to listen and “get out of your head” rather than focus on your position or pre-planned strategy. Disputants rarely enter a mediation or negotiation with this frame of reference. It is, therefore, even more important that the mediator enter the session open to possibility. Quieting your mind so that you can hear your intuitive voice and be open to possibility is the first step in mediation.

Acceptance

“Only unconditional surrender leads to real emptiness, and from that place of emptiness I can be prolific and free.”
Stephen Nachmanovitch

Acceptance in the context of dispute resolution does not mean giving in to the other side. Acceptance means surrendering to the idea that there are other possibilities that have not been presented. Accepting hope, accepting ideas without judgment, accepting help in resolving the problem are inherent in developing creative solutions. As an improviser, acceptance is necessary for play to continue. The common phrase used by improvisers who are not accepting ideas from their team mates is “blocking.” It is what happens during mediation when one side refuses to hear the other side or denies the feelings or ideas of the other party. Blocking is a sign of fear. It indicates that the individual is clinging to their idea for fear that without it they have nothing. It is the surrender to nothing that will break the impasse. The job of the mediator is to create a safe space to enable the parties to surrender their ideas and accept possibility.

Mutuality

“It takes two to know one.” Gregory Bateson

Mutuality is a concept that is not well developed in conflict resolution training. It requires the participants in a session to join together symbiotically. In improvisation, mutuality develops through give and take. The improvisation principle that develops mutuality is known as “follow the follower.” Each person finds a way to follow the other. There is a complete balance of power among all participants. Through mutuality synergy occurs. Synergy is the energy that will move ideas forward at warp speed. As a mediator, synergy is witnessed when the impasse-dam breaks and the parties begin to talk rapidly, look for options, and make future plans for resolving the problem. Mutuality is accomplished through agreement. Improvisers are trained to develop mutuality through the game of, “Yes, and...” The skill develops as each person agrees (yes) with what the other person offers, (and) adds more information. In real life, most people play, “Yes, but...” The

mediator must be the first person to set the tone of mutuality, to show agreement and add information, to balance the give and take between the parties.

Risk-Taking

“The universe will reward you for taking risks on its behalf.” Shakti Gawain

Risk-taking is fun unless you are risk-averse. Risk aversion is very subjective and situational. For many people, the risk of sitting down in a room with their perceived arch-enemy is as scary as it gets. Most people would rather avoid the confrontation altogether. The fact that they have agreed to risk facing one another in a mediation or negotiation is a good sign and should be rewarded. Determining what the risks are for each person, identifying their interests and needs is key in creating an environment that enables risk-taking. Ground rules help alleviate some of the risk. As an improviser, the risk is that the other players will not support you, that your ideas will be denied, that you will be left on stage with no one to save you. As a party to a dispute, the risk is the same. You are afraid that you will not be supported. As a mediator, you are the support player. You make the ideas, feelings, needs of one party real for the audience, i.e. the other party. You enable risk-taking and reward them when they make the commitment.

Trust

"Trusting someone else can involve gigantic risks, and it leads to the even more challenging task of learning to trust yourself." Stephen Nachmanovitch

Trust is the glue that holds an improv troupe together. It enables risk-taking and acceptance. Without trust, creativity cannot blossom. An absence of trust appears through defensive behaviors such as blocking, yelling, refusal to speak, soft speech, and gossiping. The greatest difficulty arises when there is not self-trust. When someone does not have faith in their own ability to be creative or solve a problem. The beauty of creativity is that it exists in everyone. Creativity is

merely the ability to listen intuitively. “Trust your intuition,” is a well accepted premise. Hearing your intuitive voice requires the ability to quiet your thoughts and listen. Trusting your own ability gives you the capacity to trust others. It is that unconscious thought that can move the process forward during an impasse. As a mediator, trusting your intuition, listening for that voice will provide you with the solution. Frantically scanning your brain for the list of “25 ways to break impasse” will only distract you from hearing what that voice is telling you. Sometimes its as easy as saying what you see and trusting the parties to take the lead, “I see that we have reached a point together where we all seem to be stuck. Where should we go from here...”

Awareness

“Its not about the technique, its about having respect for the invisible.” Paul Sills

Awareness is an elusive skill. During a mediation or negotiation, there is awareness of the words being said, of the tone that is used, of the facts in the case. Awareness goes further than just intellectual awareness. Awareness requires that we are simultaneously aware of the environment and aware of its effects on us. Self-awareness is intentional and requires us to check in with our responses. This can be difficult for parties in a dispute when they are overwhelmed with feelings of anger and fear. It is difficult for a mediator when there is an escalation of emotion or accusations. Awareness is the Zen state. Awareness enables us to suspend judgment by seeing the whole picture. Awareness takes continual practice.

Awareness entails surrender to curiosity. As a mediator, awareness of the invisible can facilitate resolution. Ask yourself, “I wonder what the other party is feeling about that statement, I wonder if I am being too suggestive, I wonder if they are comfortable in this room, I wonder if there is another issue that has not been mentioned yet, I wonder if there is trust in the process.”

Collaboration

"Creative problem solving begins with an assumption of not knowing, a confession of ignorance, a kind of bafflement,

and a surrender to curiosity.” Janeen Kerper

Collaboration can lead to the most creative solutions to complex problems. The ideas created by a group can rarely be created by an individual. An improviser relies on others to provide the stepping off point for an idea. Listen to a jazz group improvise and you hear an unplanned series of give and takes. Each player feels a space and fills it with ideas and then creates a space for the next player. The music that results could not exist with just a soloist. A mediation or negotiation is a perfect opportunity for developing creative solutions. Encouraging the parties to work together to define the problem and then develop options is the role of a mediator. Encouraging participants to begin from a place of not knowing rather than a place of a hardened position will enable collaboration to occur. Collaboration cannot take place where competition resides. The parties in a dispute must see problem solving as the goal. Surrendering selfish interests while identifying self-interests creates the boundaries within which collaborative solutions can flow.

Practice

“When I sit down to learn to play something, it is not because I want to master a technique. It is because I want to hear what an idea sounds like.” Stephan Nachmanovitch

Practicing technique and playing games to develop the skills necessary for releasing creativity can enhance the ability of any mediator. Knowledge plus practice leads to skill. Skill plus intuition leads to artistry. Finding ways to develop awareness, openness, trust, risk-taking, listening, mutuality and collaboration will lead to a greater capacity for experiencing our environment and solving problems creatively. Integrating creativity and intuition with our skills will enable us to develop into artists in the field of dispute resolution.

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