Avoiding Isolation, and Creating a Connection, To Help Lonely Parties Settle their Cases

BY ROBERT A. CREO

What loneliness is more lonely than distrust?

— George Eliott (1819-1880)

I tell ya' a guy gets too lonely an' he gets sick.

— John Steinbeck, Of Mice and Men (1937)

All the lonely people: Where do they all come from?


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Humans are social creatures who thrive in communities. Affiliation and connection are core to physical, mental and social wellness. Historically, in many societies, banishment, exile, or being ostracized was a severe form of punishment.

Animal communities, such as primate troops, act in the same manner to ban errant or anti-social behavior. We form multiple identities and connections based upon being parts of groups. Social and professional networks provide us context for who we are, and for successful daily functioning.

On the other hand, loneliness is an emotional state—we feel it. We can be conscious of it and take actions to combat what may be a subjective experience of emptiness, isolation, and feeling alienated, resentful, or hostile to other people. Loneliness often involves anxiety about a lack of connection or communication with others.

Loneliness differs from solitude or voluntary isolation where people seek time and space alone from others. Not everyone wants to be in constant contact with other people. This differs in that it is a choice and a decision that promotes your own sense of well-being.

Sometimes creative and artistic people can only produce work and outcomes in isolation. Many people need daily periods of peace and quiet.

Loneliness, isolation, exclusion, and being disconnected do not appear in the vast majority of commercial mediation cases. But loneliness may be an individual aftereffect of whatever caused the conflict in the first place, and could play a part at the bargaining table.

Any decision maker, anywhere, who doesn’t have confidence in his or her position, or feels like he and she is operating without support can be operating in mediation with a lonely perspective.

Loneliness is a popular topic for researchers. One study estimated that more than 60 million people in the United States—20% of the population—feel lonely. The General Social Survey (see http://gss.norc.org) found that in 1985, the number of people the average American discussed important matters with was three. By 2004, this decreased to two.

Loneliness is linked to a host of mental and physical illnesses including depression, suicide, substance abuse, digestive issues, pain, fatigue, cardiac stressors, and sleep disorders.

This Series

Master Mediator Columnist Bob Creo is examining emotions in mediation in a series of columns that stretch back to the July/August 2016 issue. Emotions are present in all participants in a mediation session, including the mediator. The dynamics of the overwhelming majority of litigated cases and interpersonal claims involve negative emotions. These columns have focused on both the positive and negative emotions. (You can read these columns with a subscription at http://bit.ly/1BUAlOOp.) After examining the positive for seven columns, last month the study of emotions renewed its focus on envy and jealousy. The return to negative emotions continues here with the concepts of belonging and loneliness.

Bowling Alone

In his influential study of U.S. social norms, Harvard Prof. Robert D. Putnam used the activity of bowling to examine the connection of individuals to each other and community.

He developed the concept of Social Capital to encompass the affiliations, connections, group identities, and relationships among people that result in enriched civic engagement and reciprocal obligation. He concluded in 2001 that, at least temporarily, those connections were declining in the U.S. to society’s detriment.

Putnam concluded that successful societies have strong social capital and “sturdy norms of reciprocity,” which create mutual trust. When trust is present, people count on others for support, help and promoting the common good

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The Master Mediator

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The subject: How isolation, exclusion, and feeling disconnected come into play in mediation.

What’s the relevance? Loneliness is pervasive, and it affects the way people think. This isn’t about divorce cases. Commercial negotiators may be affected, and mediators and adversaries need to recognize it. And act accordingly.

The mediation tactic: It’s about trying to relate. Address the question of whether the affected party has a support network. Is the party really going it alone? Ask about the need to let go of the matter. A new-ish approach is mediator storytelling.

The Lonely

I try to learn if they are going it alone or if indeed they have a support network beyond their lawyers in the case. In short, do they feel alone or not?

The key question and dialogue usually resolves around closure and letting go of the past so the parties can focus on, among other things, the Internet, and immediate accessibility to information and opportunities. I became active in Meetup.com, and started to attend all sorts of events, most of which involved cultural or educational activities.

Except for eating pizza. The pizza group usually met twice per week at a different small pizzeria and was attended by a diverse group of singles. Within a few years, I was hosting my own pizza Meetup group, which now has more than 2000 members. The new friendships and exposure to diverse people enriches me greatly.

There are times when a natural and easy bond, and rapport, builds between the mediator and the participant. I am no longer startled by the level of personal details or feelings a participant just meeting me that day will share with me. I suspect this correlates to the research noted above that the average person has fewer confidants and trusted advisers than in the past.

Obviously, the mediator’s role and the power of confidentiality encourages sharing a depth of feelings and thoughts. Remember, it’s not about the mediator; it’s about the parties. But when I am engaged in these deep dialogues, which are really one-on-one despite the presence of others in the room, I know that trust has fueled the mediation engine.

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Loneliness is out there and sometimes is present in the bargaining room. Mediators should explore and acknowledge it when it is a barrier to resolution. Mediators can help raise awareness or provide some gentle direction to potentially productive paths for the disputant to explore on his or her own.

**SOURCES AND ADDITIONAL READING**

- Nicholas A. Christakis and James H. Fowler, “Connected: The Surprising Power of Our Social Networks and How They Shape Our Lives” (Little, Brown & Co. 2009)