

As a Matter of Feeling: Emotions and the Choice of Mediator Tactics in International Mediation*

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Summary

This article examines the role of negative emotions in the process of international mediation. In particular, it investigates how perceptions of disputant negative emotions influence the tactics that mediators employ. Using the classification of mediator tactics into communicator, formulator or manipulator, the article argues that communicator- or formulator-oriented tactics are adopted more frequently when a mediator perceives negative emotions, such as anger or fear. The results of a web survey of North American mediators that classified mediation tactics are presented. The authors also interviewed international mediators and diplomats who have formally or informally, officially or unofficially, mediated intra-state and inter-state conflicts. Mediators are found to be more inclined to assume communicator- or formulator-oriented tactics when confronted with negative emotions. Our empirical analysis of negative emotions sheds light on the choice of mediation tactics in the field of international mediation, and offers valuable insights to scholars and practitioners of negotiation, diplomacy, international relations and political science.

Keywords

Emotions, affect, mediation, negotiation, disputants, aversion, anxiety.

Mediation and Emotionality: Moving beyond the Cognitive Elements of Conflict

Mediation is a form of conflict resolution or conflict management that involves a third party — the mediator — assisting the disputants to attempt to reach a settlement or compromise. Within society, mediation can occur at many levels, and whether of the interpersonal or international variety, it is based on a third party that strives 'to be an important ingredient of social change aimed at achieving

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greater harmony and equity between individuals and groups, both within and between societies'.¹ Mediator style varies depending on the numerous factors and variables of the particular conflict, such as the disputants' reputation, nature of the dispute (its duration, intensity and issues), and the mediator's own identity.² How the mediator handles the disputants' interaction within the actual process of the mediation effort is a critical factor in conflict transformation.

In most studies of international mediation, there has been a focus on the tangible, cognitive or political characteristics of the conflict, and emotional aspects have been significantly overlooked. This is surprising given that mediation is by nature often motivated by emotional considerations, either by fear of conflict and the wish to suppress it, or by the desire to transform opposition and aversion, and instead promote problem-solving.³ Only a handful of negotiation and mediation studies point to the significance of emotionality. More specifically, scholars discuss affect and its origins,⁴ the role of emotions in dyadic negotiations,⁵ the relationship of affect to mood,⁶ the significance of visual access to emotional reactions,⁷ and the influence of affect on information processing.⁸ These studies all stress the under-explored but crucial role of emotionality in determining the process and outcome of negotiations. For example, Adler and his colleagues offer valuable tips on how negotiators can recognize and handle their own emotional reactions, cool down their frustrations and anger, deal with their fears and express their emotions effectively.⁹

However, very little is known about whether mediators pay attention to the emotional reactions of disputants in international mediation and whether they have developed particular ways to respond to different types of emotional reac-

¹ Ronald J. Fisher, 'Methods of Third-Party Intervention', *Berghof Handbook for Conflict Transformation* (Berlin: Berghof Research Center for Conflict Management, 2001), pp. 1-31 at p. 25.

² Jacob Bercovitch, Theodore Anagnoson and Donnette Wille, 'Some Conceptual Issue and Empirical Trends in the Study of Successful Mediation in International Relations', *Journal of Peace Research*, vol. 28, no. 1, 1991, pp. 7-17.

³ Kenneth Cloke, 'The Culture of Mediation: Settlement vs. Resolution', in Guy Burgess and Heidi Burgess (eds), *Beyond Intractability* (Boulder CO: Conflict Research Consortium of the University of Colorado), posted December 2005 at http://www.beyondintractability.org/essay/culture_of_mediation/.

⁴ Rajesh Kumar, 'The Role of Affect in Negotiations: An Integrative Overview', *Journal of Applied Behavioral Science*, vol. 33, no. 1, 1997, pp. 84-101.

⁵ Bruce Barry and Richard L. Oliver, 'Affect in Dyadic Negotiation: A Model and Proposition', *Organizational Behavior and Human Decision Processes*, vol. 67, no. 2, 1996, pp. 127-143.

⁶ Keith G. Allred, John S. Mallozzi, Fusako Matsui and Christopher P. Raia, 'The Influence of Anger and Compassion on Negotiation Performance', *Organizational Behavior and Human Decision Processes*, vol. 70, no. 3, 1997 pp. 175-187.

⁷ Peter D. Carnevale and Alice M. Isen, 'The Influence of Positive Affect and Visual Access on the Discovery of Integrative Solutions in Bilateral Negotiation', *Organizational Behavior and Human Decision Processes*, vol. 37, no. 1, 1986, pp. 1-13.

⁸ Jennifer M. George, Gareth R. Jones and Jorge A. Gonzalez, 'The Role of Affect in Cross-Cultural Negotiations', *Journal of International Business Studies*, vol. 29, no. 4, 1998, pp. 749-772.

⁹ Robert S. Adler, Benson Rosen and Elliot M. Silverstein, 'Emotions in Negotiation: How to Manage Fear and Anger', *Negotiation Journal*, April 1998, pp. 161-178.

tions. Jones and Bodtger offer an interesting review of the significance of emotionality in mediation, and the importance of encoding and decoding emotional reactions, but they do not sufficiently discuss particular emotional reactions or their specific role in the choice of mediator tactics.¹⁰ To understand how emotionality can determine the decision-making strategies of mediators, we borrow theoretical insights from studies in political psychology. A number of studies show that politics is rarely dispassionate and that emotional reactions have an impact on the way that we organize information, learn facts about politics, form impressions and make political decisions.¹¹

In this article, the first aim is to measure how important mediators consider the role of disputant negative emotions within the process of mediation. Second, we turn to how mediators respond to the emotional content of the mediation process, and identify the particular tactics that international mediators adopt as a response to disputants' aversion and anxiety. In the theoretical section that follows, the strategies, considerations and tactics employed by mediators are reviewed, and the impact of emotionality on the mediation process is discussed. The empirical section of the article presents the results of a mediator web survey and interviews with international mediators that point to the significance of emotionality in the choice of particular tactics in international mediation.

Classification of Mediator Tactics: Identifying Patterns in Applied Strategies

In the international arena, mediators use a great number of tactics and methods to facilitate Reasoning and reconciliation. These tactics are classified on the

¹⁰ Tricia S. Jones and Andrea Bodtger, 'Mediating with heart in Mind: Addressing Emotion in Mediation Practice', *Negotiation Journal*, July 2001, pp. 217-244.

¹¹ For example, Isbell, Ottati and Burns investigate how affect influences political judgements, information processing and information seeking (see Linda M. Isbell, Victor C. Ottati and Kathleen C. Burns, 'Affect and Politics: Effects on Judgement, Processing and Information Seeking', in David P. Redlawsk (ed.), *Feeling Politics: Emotion in Political Information Processing* (Basingstoke: Palgrave Macmillan, 2006)). In addition, the theory of motivated reasoning argues that all political thinking is 'hot', in other words, it carries an affective weight (see M. Lodge and C.S. Taber, 'Three Steps toward a Theory of Motivated Political Reasoning', in A. Lupia, M. McCubbins and S. Popkin (eds), *Elements of Political Reason: Understanding and Expanding the Limits of Rationality* (London: Cambridge University Press, 2000), pp. 183-213). Furthermore, the theory of affective intelligence shows that anxiety stimulates political learning and information search. In fact, partisan and ideological heuristics are used significantly less frequently by anxious voters as determinants of their vote preferences (see Michael MacKuen, George E. Marcus, W. Russell Neuman and Luke Keele, 'The Third Way: The Theory of Affective Intelligence and American Democracy', in Ann Crigler, George E. Marcus, Michael MacKuen and W. Russell Neuman (eds), *The Affect Effect: The Dynamics of Emotion in Political Thinking and Behavior* (Chicago IL: University of Chicago Press, 2006)). Political tolerance (see John L. Sullivan, George E. Marcus, Stanley Feldman and James E. Piereson, 'The Sources of Political Tolerance: A Multivariate Analysis', *The American Political Science Review*, vol. 75, no. 1, 1981, pp. 92-106; and Tereza Capelos and Dunya van Troost, 'The Impact of Anger and Fear on Political Tolerance', paper presented to the International Society of Political Psychology, 12-15 July 2006, Barcelona, Spain), as well as political judgements (Donald Granberg and

basis of three categories: communicator strategies; facilitator strategies; and manipulator strategies.¹² When they use *communicator strategies*, mediators are primarily 'holders of concessions',¹³ operating as 'a passive conduit and repository'.¹⁴ As communicators, mediators aim to clarify and supply information while also functioning as an intermediary.¹⁵ *Formulator strategies* can be 'defined as identifying issues and suggesting concessions'.¹⁶ As formulators, mediators must be able to think in an innovative manner, redefine issues and find formulas for agreement.¹⁷ Additionally, mediators must use 'the qualities of creativeness and invention' as well as 'tact and empathy'¹⁸ to help the mediation process.¹⁹ *Manipulator strategies* on the other hand 'require leverage — resources of power, influence and persuasion that can be brought to bear on the parties to move them to agreement'.²⁰ Exploiting a ripe moment to their advantage, a mediator can use 'carrots and sticks' to achieve an agreement.²¹

Thad A. Brown, 'On Affect and Cognition in Politics', *Social Psychology Quarterly*, vol. 52, no. 3, 1989, pp. 171-182) have been studied on the basis of their affective determinants, while Conover and Feldman note that emotional reactions to national and personal economic indicators shape evaluations of presidential performance (see Pamela Johnston Conover and Stanley Feldman, 'Emotional Reactions to the Economy: I'm Mad as Hell and I'm not Going to Take it Anymore', *American Journal of Political Science*, vol. 30, no. 1, 1986, pp. 50-78).

¹² Saadia Touval and I. William Zartman, 'Mediation in International Conflicts', in Kenneth Kressel *et al.* (eds), *Mediation Research: The Process and Effectiveness of Third-Party Intervention* (San Francisco CA: Jossey-Bass, 1989).

¹³ Saadia Touval and I. William Zartman, *International Mediation in Theory and Practice* (Boulder CO: Westview, 1985), p. 12.

¹⁴ Touval and Zartman, 'Mediation in International Conflicts', p. 127.

¹⁵ See Jacob Bercovitch, 'International Dispute Mediation: A Comparative Empirical Analysis', in Kenneth Kressel *et al.* (eds), *Mediation Research: The Process and Effectiveness of Third-Party Intervention* (San Francisco CA: Jossey-Bass, 1989). Communicator strategies are identified by three distinct actions: the 'telephone wire'; establishing 'original contacts'; and 'carry[ing] proposals of concession or word of the other's concessions where conceding directly would be psychologically or procedurally impossible' (see Touval and Zartman, *International Mediation in Theory and Practice*, pp. 11-12).

¹⁶ Bercovitch, 'International Dispute Mediation', p. 295.

¹⁷ Touval and Zartman, 'Mediation in International Conflicts'.

¹⁸ Touval and Zartman, 'Mediation in International Conflicts', p. 127.

¹⁹ When mediators use formulator strategies, they 'help the two parties help themselves, by tactful, sympathetic, accurate, straightforward prodding and suggestion' (see Touval and Zartman, *International Mediation in Theory and Practice*, p. 12). This can be carried out in a passive or active manner and essentially alters the perception but not the nature of the conflict.

²⁰ Touval and Zartman, *International Mediation in Theory and Practice*, p. 12.

²¹ A mediator's leverage is related to the disputant's need for an agreement, vulnerability to a mediator's influence and interest in 'side payments'. With respect to a mediator's power, because 'the mere availability of a third party may itself generate pressures toward agreement' (see Jeffrey Z. Rubin and Bert R. Brown, *The Social Psychology of Bargaining and Negotiation* (Burlington MA: Academic Press, 1975), p. 55), this 'pressure' provides the mediator with the possibility to produce an agreement that is favourable to unilateral solutions, and the capability to threaten a worse outcome (see Touval and Zartman, *International Mediation in Theory and Practice*). For Wall, Stark and Standifer (see James A. Wall, John B. Stark and Rhett L. Standifer, 'Mediation: A Current Review and Theory Development', *The Journal of Conflict Resolution*, vol. 45, no. 3, 2001, pp. 370-391), mediator resources (such as control of information)

This article uses the above typology to identify the *actions* of mediators when involved in a conflict.²² We argue that *mediators establish particular tactics responding to the content of the mediation environment, choosing a communicator, formula-tor, or manipulator tactic.*²³ Important here is the role of the emotional context of the negotiation in stimulating the appropriate tactic; in other words, we see mediator actions as *reactions* to the affective stimuli that are generated by the negotiation process and the disputants' emotional state. We expect mediators to react by systematizing, processing and utilizing information obtained through observing disputant behaviour and interaction. Examples of the emotional content of negotiations are ample in divorce mediation, where verbal and non-verbal (para-linguistic) affect cues are taken into account, and types of affect cues are compared in agreement and non-agreement mediation.²⁴ In this context, it is important that a mediator is able to react to the distinct feelings of each partner, while also controlling the process of mediation.²⁵ Similarly, international mediators are expected to pay attention to verbal and physical cues that disputants give out, interpret their cognitive but also their affective content, and formulate a strategic reaction. The affective content of this communication process is examined here in respect to its potential to generate strategic reactions.

A complication is generated by the relationship between reactions and perceptions. Perception is the process that gives coherence and unity to stimuli collected by the senses. In our context, a mediator's perception focuses on the events and behaviours within the negotiation context, what disputants feel when they discuss the issues at hand and how they interact with the display of particular emotions. According to Spector, perception is one of the key factors that make-up a micro-level theory of negotiation.²⁶ Perception is also important for Fisher and Ury, who note that perceptions can be subjective and essentially based within the

increase the mediator's power during the mediation process and influence mediation settlement. Notably, for a biased mediator, power explicitly resides with one of the parties (see Peter J. Carnevale and Sharon Arad, 'Bias and Impartiality in International Mediation', in J. Bercovitch (ed.), *Resolving International Conflicts: The Theory and Practice of Mediation* (Boulder CO: Lynne Rienner, 1996), pp. 39-53). Power and leverage, as components of a manipulator-oriented strategy entail 'promising rewards and threatening sanctions' (see Bercovitch, 'International Dispute Mediation', p. 295). The manipulator method is enhanced by the triangular structure of the mediation process, as mediators 'become actors with interests or "full participants"' (see Touval and Zartman, 'Mediation in International Conflicts', p. 128).

²² Jacob Bercovitch (ed.), *Studies in International Mediation: Essays in Honour of Jeffrey Z. Rubin* (Basingstoke: Palgrave Macmillan, 2002).

²³ Other considerations include the nature of the conflict, the mediation environment, macro-actors and disputant non-emotional communication.

²⁴ Jones and Bodtker, 'Mediating with Heart in Mind'.

²⁵ Robert E. Emery, 'Divorce Mediation: Negotiating Agreements and Renegotiating Relationships', *Family Relations*, vol. 44, no. 4, 1995, pp. 377-383.

²⁶ Bertram I. Spector, 'Negotiation As a Psychological Process', *The Journal of Conflict Resolution*, vol. 21, no. 4, 1977, pp. 607-618.

'head' of the negotiator.²⁷ Perception in our work is related to the awareness of emotional reactions during mediation, and is determined by factors such as attention, organization of the stimuli, motivation, learning and perceptual distortions. Research in psychology demonstrates that affective stimuli enhance perceptual coding, but this does not mean that perception is without problems.²⁸ One can argue that there are emotions that remain undetected because they are subliminally processed by the mediator or they occur at the subconscious level for the disputant. In the process of emotional perception, it is also possible that the mediator incorrectly identifies an emotional response.

This debate on the accuracy of emotional perceptions, albeit very stimulating, is beyond the scope of this article. We point the curious reader towards research on affective intelligence that illuminates our understanding of how citizens develop a capacity to perceive emotional cues in politics,²⁹ and in turn we focus on the identification of patterns in mediator actions that result from the emotional content of the negotiation process. We examine how mediators describe the degree to which they are aware and interested in emotional displays during mediation, and how emotional cues determine their choice of strategies.

This focus is important because emotions, although central in the negotiation process, are often viewed as destructive during mediation efforts.³⁰ For example, Shapiro argues that mediators must comprehend the motivations of disputants to effectively cope with their emotional resistance.³¹ This means instituting an approach that takes into account the understanding that intense emotions can harm the mediation effort and potentially 'hijack rational thinking'.³² In this manner, when confronted with disputant emotions, mediators must attempt to avoid or dispose of the emotions experienced.³³ For Ott, it is necessary for mediators to 'screen out those communications and memories that make agreement more difficult'.³⁴

²⁷ Roger Fisher and William Ury, *Getting to Yes: Negotiating an Agreement without Giving In* (New York: Random House, 1991).

²⁸ René Zeelenberg, Eric-Jan Wagenmakers and Mark Rotteveel, 'The Impact of Emotion on Perception: Bias or Enhanced Processing?', *Psychological Science*, 2006, vol. 17, no. 4, pp. 287-291.

²⁹ George E. Marcus, 'Emotions in Politics', *Annual Review of Political Science*, no. 3, 2000, pp. 221-250.

³⁰ Jones and Bodtker, 'Mediating with Heart in Mind'; and Adler, Rosen and Silverstein, 'Emotions in Negotiation'.

³¹ Daniel L. Shapiro, 'Preempting Disaster: Premeditation Strategies to Deal with Strong Emotions', in Margaret Herrman (ed.), *The Blackwell Handbook of Mediation: A Guide to Effective Negotiation* (Oxford: Blackwell, 2006).

³² Daniel Coleman, *Working with Emotional Intelligence: Why it Can Matter More than IQ* (New York: Bantam, 1995); and Shapiro, 'Preempting Disaster', p. 5.

³³ Shapiro, 'Preempting Disaster'.

³⁴ See Marvin C. Ott, 'Mediation as a Method of Conflict Resolution: Two Cases', *International Organization*, vol. 26, no. 4, 1972, pp. 595-618, at p. 598. Studies of mediator comprehension of disputant characteristics assume accurate mediator observation and perception of disputant affect, but some scholars advise caution (see Jones and Bodtker, 'Mediating with Heart in Mind').

Here, we argue against the 'disruptive' role of emotionality in mediation. We see emotional reactions as an integral part of mediation, which can facilitate, but also sometimes hinder, agreement between parties. What is important is that mediation, like any communication effort, contains emotional elements, which are integrated with the cognitive content of the messages exchanged. Mediators not only rely on what is said, but also place significant value on the emotional content of the communication. An experimental design that would manipulate emotional reactions and gauge mediator decisions would allow for a thorough cause-and-effect test of this relationship, but would also move the study of emotions to a laboratory setting, compromising to an extent the research's realism. This article examines the reactions generated by the affective content of mediation in a realistic environment. We expect mediators to use disputants' emotional reactions as important cues that help them to decide which tactics to employ in order to exercise control over the mediation process and to build rapport between the parties. In order to enhance appreciation of the role of emotions in the mediators' choices of tactics, we provide a short review of the nature and function of emotional reactions.

Emotional Intelligence in Mediation: Understanding Feelings, Choosing Strategies

Emotional reactions are the highly differentiated episodic feelings — such as anger, fear, pride and enthusiasm — that are attributed to a specific object. In general, emotional reactions originate from external stimuli such as interactions with individuals or groups, internally generated thoughts or physiological changes.³⁵ Borrowing from psychology, political scientists map emotional reactions on a three-dimensional space on the basis of anxiety, enthusiasm, and aversion.³⁶ Emotional reactions are moderated by two systems: the disposition; and the surveillance. While the disposition system tracks responses to familiar situations, the surveillance system monitors conditions of risk and confronts the unknown. Thus, in a familiar rewarding environment, we feel enthusiasm and satisfaction; in a familiar but punishing environment we feel frustrated and angry; when something unexpected and unfamiliar takes place we feel anxious and uneasy; yet when new information is not threatening we feel relaxed.

³⁵ Kumar, 'The Role of Affect in Negotiations'; and Kuklinksi *et al.*, 'The Cognitive and Affective Bases of Political Tolerance judgments', *American Journal of Political Science*, vol. 35, 1991, pp. 1-27.

³⁶ George E. Marcus, *The Sentimental Citizen: Emotion in Democratic Politics* (University Park PA: Pennsylvania University Press, 2002); and MacKuen *et al.*, 'The Third Way'. Earlier approaches viewed emotional reactions as a single valence system with a positive or negative evaluation on an approach-avoidance continuum; or as two systems, with an independent positive and an independent negative dimension (see D. Watson, L.A. Clark and A. Tellegen, 'Development and Validation of Brief Measures of Positive and Negative Affect: The PANAS Scales', *Journal of Personality and Social Psychology*, vol. 54, no. 6, 1988).

By making a distinction between positive and negative emotions, it is possible to assess the significance of a range of emotions within a particular area. The focus here is on negative emotionality, and particularly the distinction between aversion and anxiety. Emotional reactions in the context of a mediation effort have very different determinants and consequences. Understanding the origins and impact of negative emotions is significant for conceptualizing their role in mediation. Anxiety is tapped by how worried, uneasy or afraid a person feels, while aversion is measured by the degree to which we feel angry, bitter or disgusted. Social psychology studies identify the association of emotions with causal attributions.³⁷ Anger, and its toned-down version of irritation, can take place as a reaction to a negative event that is perceived to be caused by others.³⁸ Uneasiness and anxiety, on the other hand, appear as a reaction to a negative event that is not controllable.³⁹

Translating this to a mediation environment, disputants would respond with anger and aversion when they foresee the outcome of the negotiation process as unfavourable. Disputants would respond with anxiety and uneasiness when the negotiation involves a non-familiar situation. Indeed, there are some studies that identify aversion and anxiety in mediation and negotiation settings. Adler and his colleagues note that anger is present when the interests of the parties involved are misrepresented, or when one of the parties makes excessive demands or oversteps one's authority. Expressions of *anger* include 'showing personal animosity, questioning a representative's authority to negotiate, seeking to undermine a representative's authority by "going over his head", and dwelling on unimportant details'.⁴⁰ Seen as a disruptive emotion, anger is considered to interfere with, and to block, the attainment of specific mediator objectives.⁴¹ *Irritation* has been identified in situations when one party does not reciprocate the other's gestures⁴² and it can also develop

³⁷ James R. Klueger and Eliot R. Smith, *Beliefs About Inequality: Americans' Views of What Is and What Ought to Be* (New York: Aldine De Gruyter, 1986); B. Weiner, *Human Motivation* (New York: Holt, Rinehart & Winston, 1980); and B. Weiner, *An Attributional Theory of Motivation and Emotion* (New York: Springer-Verlag, 1986).

³⁸ Weiner, *An Attributional Theory of Motivation and Emotion*.

³⁹ See Klueger and Smith, *Beliefs about Inequality*. Besides these types of negative emotion, agitation (see Kumar, 'The Role of Affect in Negotiations'), rage (see Adam Dolnik, 'Contrasting Dynamics of Crisis Negotiations', *International Negotiation*, no. 8, 2003, pp. 495-526), revenge (see Donald T. Saposnek, 'The Dynamics of Power in Child Custody Mediation', in M.S. Herrman (ed.), *The Blackwell Handbook of Mediation: A Guide to Effective Negotiation* (Oxford: Blackwell, 2005)), retaliation (Saposnek, 'The Dynamics of Power in Child Custody Mediation'), impatience (Stephen B. Goldberg, 'The Secrets of Successful Mediators', *Negotiation Journal*, July 2005, pp. 365-376), hate (Fred Charles Ickle, 'The Role of Emotions in International Negotiations', in Bertoy, Kimura and Zartman (eds), *International Negotiators: Actors, Structure/Process, Values* (London: St Martin's Press, 1999)) and shame (Jones and Bodtker, 'Mediating with Heart in Mind'), among others, have been previously identified as evident in the processes of negotiation and mediation.

⁴⁰ Adler, Rosen and Silverstein, 'Emotions in Negotiation', p. 169.

⁴¹ Jones and Bodtker, 'Mediating with Heart in Mind', p. 235.

⁴² Zhenzhong Ma and Alfred Jaeger, 'Getting to Yes in China: Exploring Personality Effects in Chinese Negotiation Style', *Group Decision and Negotiation*, vol. 14, 2005, pp. 415-437.

into brooding or anger.⁴³ *Disgust*, which is closely related to contempt, facilitates disputant scorn of other disputants and augments 'perceived status or identity'.⁴⁴

Anxiety can also occur in many negotiation-related circumstances. It can be recognized when a party identifies other disputants as strange,⁴⁵ and it can direct negotiators to prepare themselves ahead of time with regard to how to deal with the challenges of their profession.⁴⁶ *Fear* is present when one party faces an aggressive opponent, is not sufficiently prepared for bargaining, or feels that the opponent has superior bargaining power.⁴⁷ *Sadness* is 'characterized by a feeling of powerlessness'; and *worry* can become apparent because of anxiety about 'strangeness'.⁴⁸

Cross-cultural differences are also generators of emotionality.⁴⁹ Mediator observation of the disputants occurs within a cross-cultural and multinational context, which gives it meaning and significance, creating a situation where mediator observation is part and parcel of the context exhibited within inter-state or intra-state mediation efforts. Mediators of these types of conflicts interact with a range of social, cultural and national variables, such as the disputant's high or low emotionalism, risk-taking, or a disputant's ability to deal with uncertainty.⁵⁰ We expect cultural factors to influence the mediation process in two ways: first, they determine the nature of the interaction among disputants; and second, they shape a mediator's recognition and awareness of a disputant's affective state.

Emotionality in a negotiation setting can be instigated by the internal state of the individual, such as being in a negative mood,⁵¹ but emotions can also arise from others' perceptions. This includes holding an opposing party responsible for negative actions,⁵² observing relative power weakness or strength,⁵³ and recognizing negative groups.⁵⁴

⁴³ Brooding is understood as related to mood; for instance, 'when we are in an irritable mood, we may brood about the things that have recently annoyed us' (Dylan Evans, *Emotion: The Science of Sentiment* (Oxford: Oxford University Press: 2001, p. 114).

⁴⁴ Jones and Bodtke, 'Mediating with Heart in Mind', p. 235.

⁴⁵ Jenai Wu and David Laws, 'Trust and Other-Anxiety in Negotiations: Dynamics across Boundaries of Self and Culture', *Negotiation Journal*, October 2003, pp. 329-367.

⁴⁶ Adler, Rosen and Silverstein, 'Emotions in Negotiation'.

⁴⁷ Adler, Rosen and Silverstein, 'Emotions in Negotiation'; and Jones and Bodtke, 'Negotiating with Heart in Mind'.

⁴⁸ Jones and Bodtke, 'Mediating with Heart in Mind', p. 238; Wu and Laws, 'Trust and Other-Anxiety in Negotiations', p. 356.

⁴⁹ Jennifer M. George, Gareth R. Jones and Jorge A. Gonzalez, 'The Role of Affect in Cross-Cultural Negotiations', *Journal of International Business Studies*, vol. 29, no. 4, 1998, pp. 749-772.

⁵⁰ Other cultural variables related to negotiation include: informal and formal personalities; direct and indirect communication styles; high or low time sensitivity; group organization; relationship orientation; win/win or win/lose objective; bottom-up or top-down mentality; power distance; masculinity/femininity; and individualism/collectivism. See Geert Hofstede and Gert Jan Hofstede, *Cultures and Organizations: Software of the Mind* (McGraw-Hill: 2005); and Jeswald Salacuse, 'Negotiating: The Top Ten Ways that Culture can Affect your Negotiation', *Ivey Business Journal*, March/April 2004, pp. 1-7.

⁵¹ Kumar, 'The Role of Affect in Negotiations'.

⁵² Allred *et al.*, 'The Influence of Anger and Compassion on Negotiation Performance'.

⁵³ Allred *et al.*, 'The Influence of Anger and Compassion on Negotiation Performance'.

⁵⁴ Kuklinksi *et al.*, 'The Cognitive and Affective Bases of Political Tolerance Judgements'.

Another source of emotions related to perception but straddling the emotion and cognition divide is framing. Frames (via certain triggers) can have an emotional attraction or plea, so there is the distinct possibility that frames and/or reframing can cause an individual to exhibit an emotional reaction.⁵⁵

Understanding the origins and determinants of emotional reactions is important for mediators, as it is a prerequisite to deciding the course of action towards the resolution of a conflict. Jones and Bodtker note that emotional reappraisal is essential, and one mediator goal is to make disputants feel differently about the conflict.⁵⁶ This is particularly related to the question of interest here: whether mediators are emotionally intelligent and responsive; whether in other words they pay significant attention to the emotional state and reactions of the disputants and what techniques they use for dealing with these emotions. Literature on mediation and negotiation does not provide clues as to the tactics employed when disputants display particular negative emotions such as anger or fear.

Emotion management, from the side of the mediator, requires specifying the appropriateness of the communicator, formulator, and manipulator tactics towards a particular emotion. We borrow from psychology and counselling, where sensing and dealing with emotional reactions are considered essential to patient care, to understand how these tactics are applied. General tips are to pay attention to non-verbal cues, to name and define the particular emotion experienced by the party, to acknowledge its presence in the communication process and to express empathy.

Regarding anger and fear in particular, studies on anger management suggest that successful tactics in the context of aversion are to promote trust, adopt a 'positive framing' approach, promote a sense of eliminating losses and to assume a reassuring and friendly approach. Fear and anxiety, on the other hand, require approaches that stress flexibility, empathy and the reframing of the problem. Discussions that promote a plan towards peaceful resolution of the problem rather than identifying who is at fault are often employed in situations where fear can escalate conflict. Applications of the above psychological methods are evident in computing technology, where laboratories design computers that recognize and respond to the emotions of their users; in marketing and telephone interviewing, where dealing successfully with emotions is an important skill; in organizational psychology, where emotions are identified as a central aspect of organizational life; and in counseling, where anger and fear challenge teachers, parents or married couples in reaching understanding.⁵⁷

⁵⁵ Louis Kriesberg, 'Formal and Quasi-Mediators in International Disputes: An Explanatory Analysis', *Journal of Peace Research*, vol. 28, no.1, 1991, pp. 19-27.

⁵⁶ Jones and Bodtker, 'Mediating with Heart in Mind'.

⁵⁷ Keith G. Allred, 'Anger and Retaliation in Conflict', in Morton Deutsch and Peter T. Coleman (eds), *The Handbook of Conflict Resolution: Theory and Practice* (San Francisco CA: Jossey-Bass, 2000), pp. 236-255; John Amodeo and Kris Wentworth, 'Working with Anger', in John Stewart (ed.), *Bridges Not Walls*

Introducing the above into the context of mediator tactics, tactics that aim to promote trust, communicate explanations and build concessions are expected to be most appropriate under intense emotional conditions of anger. These match the characteristics of communicator strategies, which promote understanding, focus on the causes of a dispute or conflict and centre on potential resolution and reconciliation. Formulator strategies that promote new options and redefine the conflict should be appropriate under conditions of fear. What is essential here is the use of the mediator role to seek successful settlement by suppressing conflict. Instead of identifying who is at fault in a situation, the mediator adopts a no-fault frame and formulates a plan for peaceful resolution. Finally, tactics that focus on pressure, use of recourses, power and persuasion — in other words, manipulator tactics based on leverage — are expected to be the least applicable for both anger and fear-based situations.

To summarize, mediators use specific tactics (manipulator, communicator and formulator) to promote communication and settlement over the various stages and duration of the mediation process. Emotionality is an important feature of the negotiation process and several scholars provide examples where some expression of aversion or anxiety is present. In contrast with work that sees emotionality as harmful to the negotiation process, this article argues that perceptions of disputant emotions facilitate the selection and application of negotiation tactics by mediators. We examine whether the assessments of disputants' emotional states of play a significant role in the decisions that mediators make regarding their tactics. In this context, identifying the appropriate tactic is a very important aspect of the mediator's role. Successful mediation tactics are those that aim to change outcome assessments to be potentially favourable and rewarding. Perceptions of a favourable outcome can generate emotions of enthusiasm, and the expectation of future rewards stimulates hope.

Our research measures the extent to which mediators are aware of disputants' negative emotional reactions and take these reactions into account when formulating their tactics. To address the question of how each mediator recognizes the specific presence of each emotion is to acknowledge that each mediator subjectively observes the disputants' emotional reactions. While our research does not investigate whether appreciation of an emotional state by the mediator is accurate, or whether disputants' emotional displays are genuine, it points to the significance

(New York: McGraw-Hill, 1995); Phil Barker, 'Fear', in Guy Burgess and Heidi Burgess (eds), *Beyond Intractability* (Boulder CO: Conflict Research Consortium, University of Colorado), posted July 2003 at <http://www.beyondintractability.org/essay/fear/>; Cloke, 'The Culture of Mediation'; Herbert Kelman, 'Social-Psychological Dimensions of International Conflict', in I. William Zartman and J. Lewis Rasmussen (eds), *Peacemaking in International Conflict: Methods and Techniques* (Washington DC: United States Institute of Peace Press, 1997), pp. 191-236; Marian Marion, *Helping Young Children Deal with Anger*, 1997, available at: <http://www.ericdigests.org/1998-2/anger.htm>; Suzanne M. Retzinger, *Shame and Rage in Marital Quarrels* (Newbury Park CA: Sage, 1991); and Lawrence Susskind and Patrick Field, *Dealing With An Angry Public: The Mutual Gains Approach To Resolving Disputes* (New York: Free Press, 1 January 1996).

of emotions for the selection of tactics employed during a mediation effort. A second equally interesting area of research, which is however not investigated in this article, is how disputants can use emotions deceptively to manipulate a mediator in order to achieve a desirable outcome. Displaying fear or anger, disputants can potentially fake an emotional reaction to win points or postpone a decision. Study of this phenomenon could be an extension to this work. In order to understand whether and how disputants attempt to manipulate a mediator using emotional displays, it is imperative first to understand whether and how mediators internalize the emotional pressures of a mediation experience and develop their tactics accordingly.

Methodology

This section presents the design of a web survey in which domestic mediators were asked to classify a number of tactics as manipulator, facilitator or communicator types, based on the Touval and Zartman typology. The design and implementation of interviews with international mediators, conducted to explore the role of negative emotions in their tactic selection and decision-making is then presented. Only domestic mediators were used to classify tactics into the communicator, formulator and manipulator categories. We assume that both domestic and international mediators would classify tactics in a similar fashion, since both types of mediators try to reach a mutually rewarding agreement through the similar action of mediating, or otherwise performing a third-party role in an existing conflict. This point — that domestic and international mediators will classify tactics similarly — should be explored further in future research.

Web Survey: Classification of Mediator Tactics

First, a list of 66 tactics was compiled, which are identified in the relevant literature as tactics frequently used by mediators.⁵⁸ These tactics were chosen by utilizing a wide range of sources, including references to certain tactics used in

⁵⁸ Tactics are available at: Wall, Stark and Standifer, 'Mediation'; Kriesberg, 'Formal and Quasi-Mediators in International Disputes'; Rubin and Brown, *The Social Psychology of Bargaining and Negotiation*; Dean G. Pruitt, Neil B. McGillicuddy, Gary L. Welton and William Rick Fry, 'Process of Mediation in Dispute Settlement Centers', in Kenneth Kressel *et al.* (eds), *Mediation Research: The Process and Effectiveness of Third-Party Intervention* (San Francisco CA: Jossey-Bass, 1989); Willem Mastenbroek, *Negotiating as Emotion Management* (Haarlem: Holland Business Publications, 2002); Richard A. Posthuma, James B. Dworkin and Maris Stella, 'Swift Mediator Tactics and Sources of Conflict', *Industrial Relations*, vol. 41, no. 1, 2002, pp. 94-109; Jones and Bodtker, 'Mediating with Heart in Mind'; Stewart Gabel, 'Mediation and Psychotherapy: Two Sides of the Same Coin', *Negotiation Journal*, October 2003, pp. 315-328; and P.J.D. Carnevale and R. Peggnetter, 'The Selection of Mediation Tactics in Public-Sector Disputes: A Contingency Analysis', *Journal of Social Issues*, vol. 41, 1985, pp. 65-81. The list of 66 tactics is available to interested readers upon contacting the authors.

particular inter-state and intra-state mediation efforts. In addition to work involving international mediation, references to certain mediator tactics used in labour, industry and dispute resolution literature were used to augment the list. Also, tactics identified in mediation literature of the all-inclusive review variant were used. This provided an exhaustive list of tactics that can be further enlarged by additional studies. A web survey was conducted in spring 2006, with the aim to classify appropriately in specific categories this diverse array of tactics. A non-probability, non-representative sample of domestic mediators from North America with at least five cases of practical mediation experience were invited to participate. Participants were asked to classify the 66 tactics on the basis of whether they fit a communicator, formulator or manipulator approach.⁵⁹ A response rate of just over 9 per cent was achieved. Out of 377 mediators who received an email, 29 fully completed questionnaires and six partial responses were received.

As evident in Table 1, the most prominent communicator-oriented method is identified as using late hours and long mediation to facilitate compromise. About 75 per cent of mediators identified this particular tactic as fitting the communicator category. Other tactics, such as clarifying the needs of the parties, speaking the disputants' language, using periodic questionnaires and explaining the parties' culturally encoded messages followed with the highest frequencies among the 66 total tactics. Evident here are the characteristics of operating as a communicator: building concessions; reaching out to both parties; investing time and effort to clarify views and bridge differences; and taking into account cultural idiosyncrasies.

Table 1: Top Five Communicator Tactics

Communicator-Oriented Method	per cent
→ Use late hours or long mediation to facilitate compromise	75.9%
→ Clarify the needs or views of the other parties	58.6%
→ Speak the disputants' language	48.3%
→ Use periodic questionnaires	44.8%
→ Explain the parties' culturally encoded messages	41.4%

Note: Data from web survey

Moving on to formulator tactics, the most prominent appear in Table 2. Getting many alternatives on the table was identified as a formulator tactic by about

⁵⁹ The participant mediators had a range of mediation specialties, including: divorce, business/commercial, land use, organizational, workplace, personal injury, family, small claims, real estate, environment, education, labour, personal injury, entertainment, community, malpractice and government. They are from the Wisconsin Association of Mediators, the Indiana Association of Mediators, the Florida Academy of Professional Mediators, the Southern California Mediation Association and the Vermont Mediators Association, among other mediator organizations.

76 per cent of the mediators. Adding resources, proposing new solutions that circumvent the appearance of defeat, simplifying the agenda, finding common interests and helping the parties to deal with problems were also highly recognizable formulator tactics. They all point to an action-oriented role, which centres on proposing new alternatives, finding commonalities and guiding disputants to solutions.

Table 2: Top Five Formulator Tactics

Formulator-Oriented Method	per cent
→ Get as many alternatives on the table as possible	75.9%
→ Add resources	65.5%
→ Suggest proposals that help to avoid appearance of defeat on an issue	65.5%
→ Propose a new solution or option	65.5%
→ Simplify the agenda by eliminating, limiting or combining issues	58.6%
→ Find common criteria and interests	58.6%
→ Help the parties deal with problems with their constituents/superiors	58.6%

Note: Data from web survey

Table 3 presents the most prominent manipulator tactics. Making threats and putting pressure towards compromise were identified by about 90 per cent of the mediators as a manipulator strategy. Telling the parties that their position is unrealistic, and recommending a particular proposal or settlement, were also top in this category. As expected from our earlier theoretical discussion, manipulator tactics share a solid power element and the establishment of solutions via threat and force.

Table 3: Top Five Manipulator Tactics

Manipulator-Oriented Method	per cent
→ Make threats	89.7%
→ Press the parties to compromise	89.7%
→ Threaten to withdraw services	75.9%
→ Tell the parties that their position is unreasonable/unrealistic	72.4%
→ Recommend a particular settlement/proposal	69.0%

Note: Data from web survey

Mediator Interviews

The second stage of research involves using these classifications of tactics in three specific categories to map how mediators react to disputants' emotional reactions. A series of interviews was conducted with international mediators using a non-probability, non-representative sample that focused on how the mediators understood disputants' emotions. Similar small-scale interviews are often used in the literature to explore mediator and negotiator behaviour and choices.⁶⁰

Invitations were sent to 60 individuals who have been mediators within official or unofficial inter-state and intra-state mediation efforts, and eight agreed to complete the questionnaire.⁶¹ These individuals were chosen for participation because they were referenced as performing a mediator role in literature dealing with inter-state and intra-state mediation efforts. Since third-party involvement can range widely, a loose definition of mediator was used to encompass activities of the formal and informal variant, as well as facilitation-oriented actions.

Our questionnaire included 110 items, all designed to measure the frequency of a mediator's perception and experience of disputants' negative emotions. First, we asked questions regarding the significance of emotions in international mediation. We also asked questions that identified the role of verbal and non-verbal displays of emotion, and the role of culture in understanding emotional reactions. In addition, we focused on the specific emotions of fear, anger, sadness, disgust, irritation and worry, and measured their typicality, strength and direction as well as how the mediator dealt with their emergence. Next, we asked questions to identify the tactics that mediators implemented in response to each of the above-mentioned emotions. We asked mediators to specify the tactics that they adopted when they observed specific emotional states, and used the classification scheme that resulted from the web survey to identify the reported tactic as fitting the facilitator, manipulator or communicator category.

⁶⁰ Interviews are effective for understanding political concepts that are complicated and hard to study; see Glenn Beamer, 'Elite Interviews and State Politics Research', *State Politics and Policy Quarterly*, vol. 2, no. 1, 2002, pp. 86-96. Small-scale interview studies show that it is possible with a small-sample size to garner information that is noteworthy and valuable. For examples, see Cobb and Rifkin interviewing fifteen mediators (Sara Cobb and Janet Rifkin, 'Practice and Paradox: Deconstructing Neutrality in Mediation', *Law and Social Inquiry*, vol. 16, no. 1, 1991, pp. 35-62); Rosenzweig interviewing sixteen political candidates (Robert M. Rosenzweig, 'The Politicians and the Career in Politics', *Midwest Journal of Political Science*, vol. 1, no. 2, 1957, pp. 163-172); Kressel interviewing thirteen 'prominent labor mediators' (in Rubin and Brown, *The Social Psychology of Bargaining and Negotiation*, p. 61); Ellenberg, Gall and Geller interviewing eight biostatisticians (Jonas H. Ellenberg, Mitchell Gall and Nancy L. Geller, 'Conversations with NIH statisticians: Interviews with the Pioneers of Biostatistics at the National Institutes of Health', *Statistical Science*, vol. 12, no. 2, 1997, pp. 77-81); Starcke interviewing thirteen South African elites (Anna Starcke, *Survival: Taped Interviews with South Africa's Power Elite* (Cape Town: Tafelberg, 1978); and Grey interviewing thirteen United States Supreme Court and Appellate Court judges (David L. Grey, 'Interviewing at the Court', *The Public Opinion Quarterly*, vol. 31, no. 2, 1967, pp. 285-289). However, given the small sample size of interviewees, special care should be given to the interpretation of the quantitative data.

⁶¹ A list of interviewees is available to interested readers upon contacting the authors.

Results

The Salience of Emotional Reactions

Our first question is to what extent mediators are aware of the disputants' emotions. We asked our respondents to assess the importance of negative emotionality for the mediation process, using a scale of 0 to 10, with 0 being not at all important and 10 being very important. Data show that negative emotions do not go unnoticed. The average level of importance for negative emotions was 6.3 points. Similarly, our respondents were asked to indicate how often they take disputant emotions into account when considering which tactic to employ. On average, mediators reported taking emotions into account about 65 per cent of the time. They also answered that their average evaluation of the importance in understanding disputants' emotions was about 8.3 points (on a 0-10 scale).

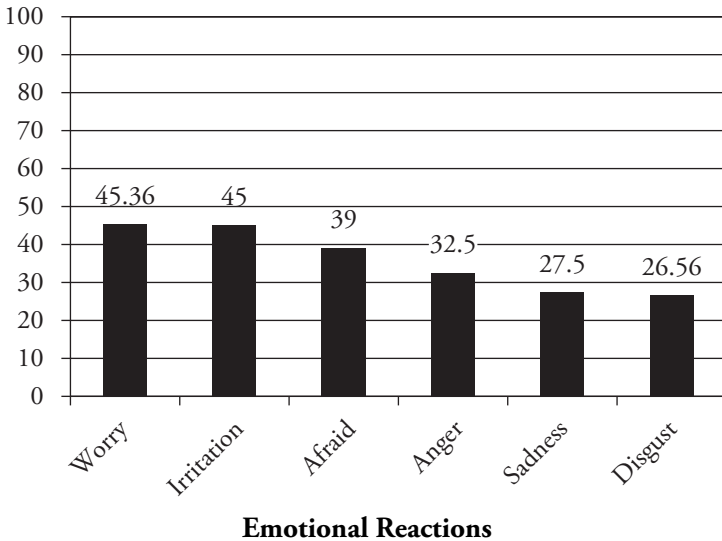
Our respondents were also asked to indicate the frequency of observed emotional reactions, such as worry, irritation, fear, anger, sadness or disgust, on one or both disputants. Our goal here was to identify the most frequently encountered negative emotional reactions in the mediation process. As Chart 1 shows, worry and irritation compete for first position; both were observed about 45 per cent of the time. Fear is the third most often observed emotion, reported to be present in about 39 per cent of mediations. Anger is fourth, with a frequency of about 33 per cent, while sadness and disgust are less frequently observed (28 per cent and 27 per cent respectively). Overall, this chart indicates a pattern of moderate emotionality, where concern and irritation are frequent experiences, while more intense emotional reactions pointing to anger or fear appear with lower frequency.

The interview participants were also asked to think of their last mediation experience and identify the most frequent emotional display from the disputants. As seen in Chart 2, worry was identified as the most frequently experienced emotion, with a score of 7.4 points. Disgust follows second at 6.2 points, and anger is third with 5.8 points. Fear follows fourth at 5.5 points, while sadness and irritation appear last (5.25 and 5.17 points respectively). As can be seen, emotional reactions follow the pattern of Chart 1, with worry the most prominent emotion, but also intensify with disgust following second, and irritation falling in last place. This diversion from the findings reported in Chart 1 is expected, since average impressions of mediation experience are more toned down, compared to particular instances, which are very fresh in the mind.

The next goal was to identify subtle evidence of emotional reactions in negotiations. The following analysis presents the extent to which mediators report paying attention to disputants' body language and verbal displays of emotion. On a scale of 0 to 10, attention to body language received 6.3 points, while verbal displays of emotion attained a slightly higher average of 6.8. As expected, body language and verbal displays of emotion are both salient indicators of disputants'

Chart 1: Frequency of Emotions Experienced by Disputants during Mediation

Question: In mediation there are times where disputants experience certain emotions. How often would you say that this happens on average, that is, one or both of the disputants experiencing any of the following emotions?



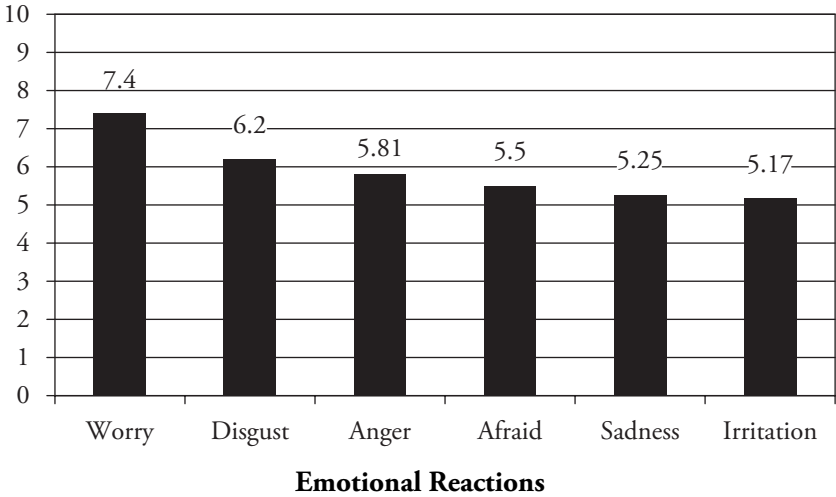
emotions. However, with respect to verbal displays of emotion, respondents were not asked to clarify between oral and written expression.

In earlier discussions of the determinants of emotional reactions, culture was identified as a significant cue. The questionnaire focused on the extent to which mediators consider disputants' culture a factor that influences their perception of disputants' emotions. Using the same 0-10 scale, respondents identified culture as very important. Attention to culture was on average 8.2 points, and in a similar question respondents noted that they take culture into account about 72 per cent of the time when they develop their strategies. As expected, culture is indeed an important facet for mediator understanding of disputants' emotionality and behaviour, a result that corresponds with the web survey's identification of cultural aspects as important elements of communicator strategies.

However, emotional reactions are not only based on cultural predispositions. When respondents were asked to identify some of the origins of disputants' emotional reactions, analysis of their open-ended responses provided an interesting array of reasons. Disputants can get emotional about a variety of scenarios, such

Chart 2: The Most Frequent Emotional Display in Recent Mediation

Question: Thinking back to your last mediation experience, which was the most frequent emotional display from the disputants?



as 'the lack of acceptance' of the arguments put forward by the mediator or the fact that the 'mediator may be caught off guard by people acting in the way they do'. Additionally, if disputants do not get what they desire or if the other side does not agree to their request, disputants can become emotional. A 'lack of objectivity' and the 'fear of being trapped or sabotaged by agreeing to something that the other side then welches on' can result in a disputant displaying emotional reactions. Also, 'taking unreasonable positions', 'distrust' and the potential for 'possible military action' are other causes of disputants' negative emotional responses.

One common refrain throughout the interviews was the veracity of the display of disputants' negative emotions; in other words, 'to what extent is it real', or even possible that 'some of the parties concerned are acting'? As one mediator succinctly put it, 'they fake it'. What we see here is suspicion of the use of emotionality as a negotiation tool where mediating parties attempt to display emotions in a false manner in an attempt to gain points or influence the course of the mediation effort. To what extent false emotionality is present, and how it is detected and handled by the parties involved, opens up ground for further investigation in mediation-related research.

The Consequences of Emotionality

Our second aim is to see whether particular patterns in the tactics that mediators choose during a mediation effort can be identified on the basis of the disputants' display of negative emotion. A set of questions focused on the specific tactics that participant mediators adopted when disputants displayed particular negative emotions, such as worry, irritation, fear, anger, sadness and disgust. Using the classification of tactics on the basis of communicator, facilitator or manipulator categories, patterns in mediator responses were identified following the display of disputants' emotional reactions.

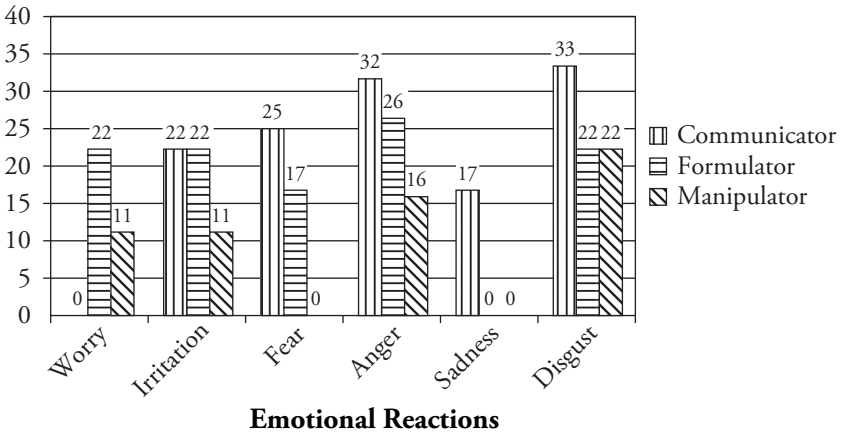
As shown in Chart 3, when perceiving a particular disputant's negative emotion, mediators seem to give preference to communicator-oriented tactics, especially when emotions run high. Fear, anger, sadness, irritation and disgust appear to be most often approached by a tactic that fits the communicator profile. Following theoretical expectations, the most common mention of communicator tactics appear under conditions of anger and disgust. Mediators aim at taming this negative emotionality, promoting concessions and trying to bridge differences. The cumulative result, which is available in Chart 3, shows how the mediators responded to exhibition of these particular negative emotions. The results are important because they illustrate that communicator-oriented tactics are most likely to be used by mediators when perceiving disputants' negative emotions. This finding is worthy of further investigation, but it does lend support to the contention that when perceiving negative emotions, mediators are likely to try to create conditions that focus on furthering communication.

Turning to the presence of formulator tactics in Chart 3, interviews indicate that they are seemingly preferred under conditions of worry and irritation in comparison to other tactics. This is in line with our hypotheses that under conditions of anxiety or milder negative emotional states, mediators choose the formulation of new solutions and the proposition of alternatives. Formulator tactics are also the second best alternative in very negative situations. When disputants show fear, anger or disgust, mediators can accompany communicator tactics with formulator tactics to promote an agreement.

Our third focus was on manipulator tactics, and what the data shows is that such tactics are not frequently employed under the presence of negative emotions. They are avoided when disputants express fear and sadness, and are only moderately employed in the presence of worry, irritation, anger and disgust. Interestingly, when utilized, manipulator tactics address strong, rather than weak, negativity. Disgust and anger are the two emotional conditions that generate the most manipulator tactics. In such strong negative emotionality, mediators employ their power to control the mediation process and point to appropriate solutions.

The results indicate that negative emotions are relevant to the process of international mediation. Negative emotionality is identified by mediators not only as a general affective state, but also on the basis of particular emotions, which in

Chart 3: Highest Ranking Tactic used in Response to a Particular Emotion
Question: Please identify the tactic that you used as a response to each emotion



turn play a role in the selection and application of specific tactics. Worry is the most prevalent negative emotion, while disgust, anger and fear follow. Non-verbal displays receive as much attention as verbal expressions of emotions, and culture is considered a significant factor in the understanding of disputants' emotions. There are also observable differences in the preference of applied tactics on the basis of emotionality. Under the presence of intense negative emotions pointing to aversion, such as anger and disgust, mediators are above all more likely to adopt communicator methods. When negative emotions point to anxiety and worry, or milder forms of aversion such as irritation, formulator-oriented tactics are adopted. Manipulator tactics are overall not very pronounced, but they are used when disputants appear to be angry or disgusted.

Discussion and Conclusions

Taken together, the results show that feelings have an important presence in mediation. Emotional reactions are significant, helping to direct the employment of particular tactics by mediators. Naturally, each mediation process is a unique experience, often described as an exclusive endeavour and hence it is not easy to quantify. Our aim is to provide some primary and introductory evidence related to the value of emotionality in this complex process. Although it is not possible to quantify the entire process of mediation, specific questions are posed regarding a mediator's experience within mediation, in order to identify underlying patterns. Using quantitative research, the specific determinants of mediator tactics

were explored to further our understanding of the complexities of the mediation process. Having said that, each mediation effort should be viewed and understood within its particular context and situation. Although empirical research can point to particular patterns, the results offered in this article need to be taken with some caution since they were drawn from data from a small sample group.

This article shows that the mediators' selection of tactics is shaped by the identification of disputant emotionality. Findings are based on mediators' self-reports, and there is obviously the possibility that mediators could under-represent their use of specific tactics, or the presence of particular emotions. A series of steps was taken to ensure the validity of responses to the questions, including the participants' anonymity, the scientific profile of the study, and the commitment to share findings with the academic community for cross validation. Observation data from actual mediation efforts in process can provide additional information towards our hypotheses, but such data collection attempts are not without their own problems. Mediation on the international stage usually occurs with a great deal of secrecy, and is therefore difficult to monitor in this manner.

Second, this study lays the groundwork towards the hypothesis that disputants can influence the mediation process via their display of negative emotions. On one hand we see that mediators pay significant attention to emotional displays; on the other, we also noted some reservations about the genuine character of these displays. In other words, we see the facilitating and obstructing role that emotions can assume in such a process. This research is the first attempt to shed light on the dynamic role of negative emotionality. Future studies should examine further what cues mediators use to determine their genuine character, and which emotional tricks disputants employ to realize their goals.

We also want to alert the reader to another issue regarding these findings. The article identifies the decisions of mediators as independent actors. Our analysis does not consider and analyse the presence of macro-actors in the mediation effort and their impact on the choices employed by mediators. Macro-actors, such as regional or global superpowers, the UN and multinational or international organizations, can influence the mediation effort by imposing constraints from above and thereby limiting the freedom of association and choice exhibited by the mediator. This is a particularly interesting point, and should be investigated in future research.

An additional complication is the issue of inferring the presence of emotion by observation. Since behaviour is assumed to communicate an emotional status, mediator perception is directly related to observable behaviour.⁶² However, observable behaviour does not necessarily mean that a specific emotion is or is not being exhibited or that the observed emotion is the actual emotion being experienced.

⁶² Jenny Yiend and Bundy Mackintosh, 'Cognition and Emotion', in N.R. Braisby and A.R.H. Gellatly (eds), *Cognitive Psychology* (Oxford: Oxford University Press, 2005).

This research proceeds from the understanding that mediators would accurately observe disputants' negative emotions. The focus was not on the issue of accuracy in their observation, but rather on tactical or strategic choices following their perception of a precise negative emotion. The issue of accuracy is of great interest and can be examined as an extension of this work in the future.

This study uses two types of mediators (domestic and international) for the survey and interview data. Although international mediation is arguably more complex and complicated, involving a wider range of political, systemic and cultural factors compared to domestic mediation attempts, parallels exist between domestic and international mediators. While the strategic choices and alternatives employed by the mediators vary between these two types, basic tactical choices are relatively similar since the dynamic of a third party entering an extant conflict is the same across the different levels of mediation.

One final shortcoming is the size of the sample of the international mediators' interviews. These mediators were identified and selected from a range of international mediation literature. The study hence employed a non-probability and non-representative sample. While future studies should aim to employ a more extensive sample of international mediators, this sample size is considered adequate for this first exploratory examination of the role of emotions in international mediation. Our study shows that negative emotions expressed by disputants carry important weight in the process of international mediation since they determine the choice of tactics employed by mediators. We see that mediators engage in 'emotion management', selecting communicator tactics when aversion runs high, applying formulator techniques in the presence of anxiety and weak negativity, and selecting manipulation tactics as a last resort to assess their control over highly negative emotional situations. In other words, we come across emotionally intelligent mediators.

Within the mediation process, emotions can be catalysts for both positive and negative developments. When a disputant shows negative emotions, the result of this display can be a range of possibilities, from facilitation to obstruction of communication. Negative emotions can serve the useful purpose of pointing out the real significance of an issue at stake and, thus, that the other party or mediator must pay particular attention to this area. If negative emotions are not handled appropriately, on the other hand, they can disrupt communication pathways, alienate the disputants, and strip the mediator of his or her ability to resolve the conflict.

Emotions are, without a doubt, significant to the mediation process, but all too often are overlooked in most rational choice or behavioural approaches to studying negotiator behaviour and negotiations. The enduring struggle between rationality and emotionality is also present in our interviews. Characteristically, one mediator noted 'I am aware of emotion, but trying not to let it influence my work', and another commented 'I would not be governed by my emotions, but

would consider it an important factor to keep in mind'. But despite the apparent tension between feeling and thinking, emotions can function as a means to reach a more efficient understanding of the communication process between individuals. They determine, at least in part, how mediators regulate their tactical choices in relation to the display of disputants' emotional behaviour.

As the first study to examine how mediator perceptions of disputants' emotions influence a mediator's choice of tactics, this research elucidates the ways that mediators can acclimatize to the range of negative emotional reactions that are displayed in the mediation process. The realm of emotions, which is a frequently ignored aspect in conflict resolution, contains several puzzles that are worth exploring. One avenue of research is to examine how disputants understand mediator emotions, as well as how mediators think their emotions play a role within the mediation effort. Mediator accuracy in their perception of disputants' emotions can also be evaluated, in addition to the accuracy of a disputant's perception of mediator emotions. While this research is limited to the study of negative emotions, positive emotions can also be investigated. By measuring the value of positive emotions as exhibited within the process of mediation, one can shed light on their ability to foster agreement and facilitate dialogue and discussion. Another area in need of further study is the role of body language or non-verbal displays of emotion. Participant observation can provide significant insights in such research.

This article concludes with the hope that its research will be only the beginning for the study of emotion in international mediation. Emotions are valuable in understanding a range of political behaviours, such as vote choice, political judgments, information processing and learning, party identification, and reactions to political issues such as the economy or anti-terrorism policy. Our analysis shows that, as a matter of fact, the study of international mediation is also a matter of feelings.

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