

Mediator Insights: How to Breach the Bully Barrier in Mediation

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Bullies use aggressive behavior (physical and verbal) to intimidate and coerce others. Bullies show up in all aspects of life, including in mediation and negotiation. In many cases, the bully is the reason the dispute is in mediation. The bully has become the barrier to resolution. It is then the mediator's job to breach the bully barrier to facilitate a path to resolution.

To illustrate, let's consider Alexis O'Neill's children's book *The Recess Queen*. In this book, no one swings until Mean Jean swings. No one kicks a ball until Mean Jean does so. No one bounces on the trampoline until Mean Jean bounces. Mean Jean uses physical (pushing and kicking) and verbal (growling and yelling) intimidation to control the other kids. Mean Jean is the Recess Queen. Mean Jean is a bully.

But then a new kid comes to school. Her name is Katie Sue. Recess comes. Katie Sue exuberantly rushes outside where she swings, then kicks a ball, then bounces. All before Mean Jean does any of it. Mean Jean charges after her. Mean Jean grabs her by the collar. Mean Jean yells at Katie Sue.

But Katie Sue surprises Mean Jean. She is not intimidated. Instead, Katie Sue breaches the bully barrier. She pulls a jump rope out of her backpack. Katie Sue starts to jump and invites Mean Jean to jump with her. After an awkward pause, Mean Jean joins in. They jump. They giggle. They become friends. And the playground becomes a place to play for everyone.

How does this translate to the bully in mediation? Katie Sue did four important things.

First, Katie Sue did not fight fire with fire. A bully's power lies in their ability to trigger other's emotions. Katie Sue took that power away. She did not let Mean Jean's bullying affect her emotional state.



Second, Katie Sue separated the person from the problem. Instead of reacting to the person, Mean Jean, Katie Sue focused on the shared problem. Everyone, including Mean Jean, wanted to play during recess.

Third, Katie Sue met an unspoken need. Bullies often act out because they are hiding something. When Katie Sue invited Mean Jean to jump with her, we learned that, until that day, no one had ever asked Mean Jean to play.

Fourth, Katie Sue found a solution that met everyone's needs and allowed Mean Jean to be central to the resolution. Some people refer to this as saving face.

What does *The Recess Queen* teach parties and mediators about how to breach the bully barrier in a mediation? Stop. Breathe. Do not react. Listen, observe, and learn. Separate the person from the problem. Seek out the unspoken needs. Find a path to resolution that meets everyone's needs and allows them to be part of the solution, instead of the problem.

Author's Note: As a mediator, I am a "forever student" always seeking new ways to help people find a path to resolution in mediation. As a parent, I have spent a gazillion hours reading books to my children. Oftentimes, these books teach me new ways to approach conflict resolution. In this case, Alexis O'Neill's "The Recess Queen" inspired this post.

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