FACEWORK IN MEDIATION: THE NEED FOR "FACE" TIME

by REBECCA J. CALLAHAN

Conflict is, for the most part, a rubber concept, being stretched and molded for the purposes at hand. Any attempt to intervene in a dispute is an intrusion into an already existing process of negotiation between the parties to the dispute. Mediators are interveners who, in addition to assessing the climate of the parties' pre-mediation relationship, dealing with problems of perception, being on the lookout for imbalances of power, correcting false attributions, and shepherding the parties' negotiations from differentiation to integration, must be prepared to anticipate, identify, and handle the below-surface image needs or perceptions of the parties. This aspect of mediation—the accommodation of the parties' "face" needs—has been likened to negotiating in a minefield. Eric Van Ginkel, *The Mediator as Face Giver*, Negotiation J. 475 (2004). In the discussion that follows, "facework" as a communication behavior is evaluated and, it is posited, "face" and "facework" strategies should be considered in any mediation because "face" is a universal characteristic of being human. As such, concerns about face must be managed as part of any negotiated resolution.

The Concept of Face

The concept of "face" has been defined in many different ways. It has been defined as an image of self, delineated in terms of approved social attributes; as something situationally defined in reference to the immediate respect a person expects others to show in each specific instance of social encounter. The word "face" has been used as a metaphor for our self-image vis-à-vis the public, and has been conceptualized as something that is diffusedly located in the flow of events. "Face" is a uniquely human phenomenon that has to do with the way we perceive how others perceive us. It is a projected image of one's self in a relational situation and is an identity that is defined by the participants in the setting.

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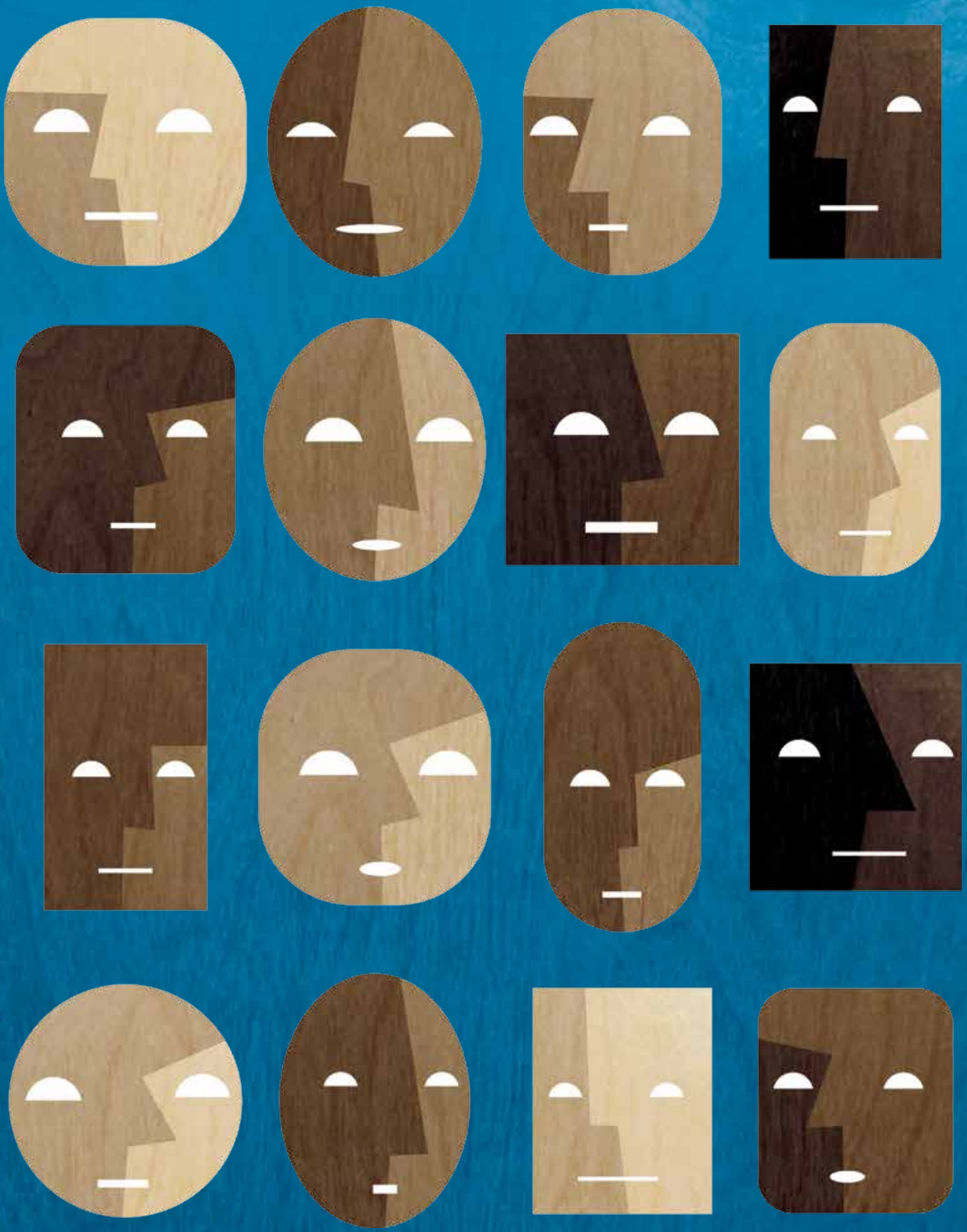
"Face" is a universal behavior, and yet it varies by individual and situation.

"Face" plays at least two distinct roles in mediation. First, people bring their face needs and perceptions to the negotiating table, so those dynamics may play a role in the mediation process relative to how the parties interact at the mediation and may thus add a dimension to the conflict that the mediator must accommodate. Second, saving or restoring face may be one of the underlying interests—or even the primary interest—of one or more parties and may thus add a dimension to the substantive negotiations which the mediator must be able to identify and then incorporate into his or her handling of the mediation session and shepherding of the parties' negotiations.

Facework

"Facework" is a subtle interpersonal encounter found in all societies, calculated to avoid personal embarrassment, or loss of poise, and to maintain for others an impression of self-respect. People in all cultures want to maintain face and at the same time maintain communication with, and respect for, others. Facework refers to the behaviors parties resort to in an effort to deal with the conflict between preserving or serving their own face needs and accommodating the face needs or interests of another party.

Facework management during mediation is necessary so as to validate and maintain the delicate balance between or among the disputing parties with respect to their self-esteem and self-worth needs. In this regard, research has shown that beyond adding issues to the dispute, the need to save face can lead to inflexibility and future impasse in the conflict; that issues related to face are among the most troublesome kinds of problems that arise in a negotiation. The mere presence of the mediator may allow the parties to move from one position to another without losing face because they can attribute any movement to the third party. The challenge for the mediator is to promote a change of position between/among the parties without threatening their respective "faces."



Face Negotiation Theory

In 1988, Professor Stella Ting-Toomey advanced "face negotiation theory" to provide an explanation as to the differences and similarities in face and facework that occur during conflict interactions. This theory argues that: (a) people try to maintain and negotiate face in all communication situations; (b) the concept of face is problematic in uncertainty situations where the parties' identities may be called into question; (c) conflict demands active facework management; (d) people in conflict will engage in two basic types of facework (positive-negative face and self-other face); and (e) parties' cultural background will influence their selection of conflict styles (avoidance and collaborative styles versus confrontational and positional bargaining styles). These propositions have been tested and largely supported by subsequent research.

ON POINT
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In her face negotiation theory, Professor Ting-Toomey created a two-dimensional grid to describe four facework strategies that are used to negotiate public self-image. The first is *face-restoration* and refers to giving one's self freedom, space, and dissociation (*i.e.*, autonomy). The second is *face-saving* and is symbolized by respect for the other person's need for autonomy. The third is *face-assertion* and refers to defending or protecting one's need for inclusion. The fourth is *face-giving* and refers to defending or supporting the other person's need for inclusion.

Face negotiation emphasizes three face concerns: *self-face*, the concern for one's own image; *other-face*, the concern for another's image; and *mutual-face*, the concern for both parties' images and/or the image of the relationship. According to Professor Ting-Toomey's research, Eastern countries tend to be more oriented towards other-face (*i.e.*, negotiating in a way that allows or accommodates the other side's ability to maintain a positive/strong public face), while Western countries are more oriented towards self-face (*i.e.*, negotiating in a way that promotes the image of the negotiating party *and* seeks to denigrate the other side in some way, even at the risk of hurting that side's public face).

In the context of a mediated conflict, the mediation represents a communication context in which the disputants' face concerns will play an important role in the process and the mediator will be an active, contributing party to the interaction process. Professor Ting-Toomey's theoretical framework of facework maintenance strategies can be used by mediators to recognize face issues that may be involved in the particular mediation so that they can conduct themselves and the mediation process in a way that is supportive of both parties' face and thereby minimizes the occurrence or influence of facework behavior in the mediation.

Facework Strategies in Mediation

Face-Restoration is evident when a party is reluctant to participate in the mediation process or to disclose information. When face-restoration behavior occurs, that is an indication that the party (a) may perceive a need to protect their privacy, (b) may be concerned that disclosing information may infringe on their control over their affairs, or (c) may be concerned about how the information might affect the party's image to the other party. In this situation, it is unlikely that participation or information will be forthcoming unless and until the reluctant party is persuaded to see an advantage in the negotiation and is assured of his or her control over the process.

Face-restoration as a behavior strategy can be understood in reference to Abraham Maslow's Hierarchy of Human Needs Model as a signal that the recalcitrant party has a basic ego need that will dominate that party's behavior until it is satisfied. Maslow's hierarchy of needs is a theory of psychology that was proposed in his 1943 paper, *A Theory of Human Motivation*. Psychol. Rev., Vol. 50(4), at 370-396 (1943). Maslow's theory contends that as humans meet their basic needs, they seek to satisfy successively higher needs that occupy a set hierarchy. At the bottom of the hierarchy are basic needs, such as physical needs and safety, moving up to emotional needs (love and belonging), moving up to the top levels of self-esteem and self-actualization. What frequently leads to conflict is one or both side's perception or belief that their basic needs—the ability to provide for themselves and their loved ones—is being threatened. In the context of a negotiation, however, what frequently appears at the table are parties' ego and self-esteem needs to be validated/to be right/to win, and that is a conflict where both sides will need to yield in some way in order to achieve a negotiated resolution.

There are two aspects of ego or esteem needs: the need for the respect of and recognition by others, and the need for self-respect. The challenge for the mediator is to gain the party's confidence and obtain enough information to identify the party's self-esteem needs or concerns. To do this, the mediator needs to effectively communicate his or her impartiality, respect for the parties' autonomy, and commitment to keep private information confidential. The mediator also needs to effectively communicate, reinforce, and assure the parties of their control over the mediation process and outcome.

Face-Saving is frequently described as a "self" behavior; something that a person does to regain his or her desired public image after it has been threatened, dismissed, or lost. However, using Professor Ting-Toomey's reference points, face-saving is actually an "other" behavior that evidences concern for another's image or the image of the parties' relationship. This facework strategy can be understood in reference to the "politeness theory," which contends that when there is social distance between the parties, the listener has more perceived power than the speaker and there is an imposition involved in the communicative request or act; the speaker will demonstrate various levels of politeness in presenting the position or demand depending upon the degree of face threat to the other party and the level of desire on the speaker's part to mitigate that threat.

In the context of mediation, parties generally do not show concern for the image needs of others beyond extend-

ing common courtesies. In this context, especially during the parties' opening statements, the mediator should anticipate that parties will be focused on trying to control the process in an effort to persuade the mediator of the validity or propriety of their respective views and demands and may resort to bold communication strategies. The challenge for the mediator will be to introduce the concept of concern about the other party's image needs and to facilitate dialogue versus demands. One tool that is uniquely available to the mediator to accomplish this purpose is reframing the parties' issues in such a way that the other party can receive the message (and openly acknowledge receipt) without compromising or losing his or her face in the negotiation.

Face-assertion is evident when a party becomes defensive, and may include such behaviors as refusing to step back from a position, avoiding important conflict issues, or taking issue with what he or she perceives to be unjust intimidation. At its core, this behavior represents an attempt by one party to protect against threat to face or to reestablish face after face loss. Using Professor Ting-Toomey's reference points, face-assertion is the "self" behavior that a person engages in to protect or repair relational images in response to threats, real or imagined, potential or actual. This type of behavior, if left unchecked, can lead to inflexibility and stalemate in the negotiation. Like face-restoration, face-assertion behavior is evidence of an ego need that must be addressed and resolved to the satisfaction of the threatened party before communication or interaction about the problem can proceed.

Face-assertion as a behavior strategy can be understood in reference to reciprocity theory because having face means both "commanding social influence" over others as well as being influenced by others. Reciprocity theory maintains that escalation and de-escalation patterns in conflict interaction are often a result of reciprocity and compensation. The challenge for the mediator is to demonstrate to the parties that mutual acceptance of face is a condition of interaction, not the ultimate goal. The mediator sets the stage for reciprocity by attending to both sides' cognitions, emotions, and internal assumptions about the conflict; by being nonjudgmental, a mediator creates a supportive environment that can tolerate the parties' different face needs or wants, and thereby inhibit or mitigate the parties' defensive responses.

Face-giving is evident when strategic moves are made by one party in support of another party's image or identity claims. It has been suggested that face-giving may at times be crucial to preserving a positive climate for conflict resolution, and is a strategy mediators need to employ to help move the parties through sensitive conflicts to sustainable resolution—with egos and relationships intact. In the context of mediation, the mediator acts as face-giver.

Face-giving as a behavior strategy can be understood in reference to the Johari Window, named after the first names of its inventors, Joseph Luft and Harry Ingham, as a process of human interaction involving disclosure and feedback. The model consists of a cube with four compartments: the Public Self Area that the person sees and knowingly presents to the public; the Private Self Area that the persons sees and knowingly conceals from the public; the Public Area that the public sees, but the person is unaware of; and the Blind Area that is something about the person that he/she cannot see. In the mediated negotiation, a lot of work is done between the Public Self and Private Self areas: namely, trying to uncover the reason why disputants have taken or insist on holding onto their particular positions. The mediator seeks disclosure. Disclosure occurs when one person trusts another person enough to reveal aspects of himself/herself that he or she otherwise was keeping secret. In terms of the Johari Window, disclosure results in an increase in the Public Self area and a decrease in the Private Self area. Feedback occurs when people perceive that a person is receptive, and results in the person sharing some information about another person that the person does not know about himself or herself. In terms of the model, to the extent that feedback takes place, the person is able to reduce the Blind Self area and further increase the Public Self area. This is a somewhat theoretical way of explaining the process used in mediation to "get everything on the table" for discussion so there can be a meaningful negotiation.

Conclusion

The problem-solving aspects of mediation would be a simpler process if the mediator could instruct everyone to leave their "face" and face needs at the door. That is not possible because face is a part of human behavior. As such, the image needs or wants of the parties must be considered, accommodated, and incorporated into the conflict process that occurs in a facilitated negotiation. The existence of a facilitator may be one reason why a negotiated resolution can be achieved in mediation, but stalled when the disputants tried to talk between themselves outside of mediation. Mediators are there to give face to both sides and respond to facework behavior. At the same time, they are present to referee by helping the parties avoid getting stuck by negotiating over competing face needs. In this important way, a good mediator helps parties stay focused on the problem and on negotiating a resolution.

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