
Kluwer Mediation Blog

Desire

Jill Howieson (The University of Western Australia) · Sunday, October 30th, 2011

Desire. I have some transcripts from real-life family mediations to analyse and reading the transcripts, it struck me that I was reading about desire. This sent me back to my 1985 language, literature and culture textbook, *Modern Literary Theory*, and to psychoanalytic and linguistic theories.

Thinking also about Nadja Alexander's post about the Carlo Scarpa gaps. Just as we tend to seek to smooth over and camouflage our architectural flaws, so too we seem to seek to smooth over and quell our desires. In mediation, we cover and camouflage our language of desire and speak of our future fears or needs. We tend to ignore the beauty and value of the contrasts and the tensions that are inherent in the language of desire.

Jacques Lacan speaks of language as "the defile, the groove, the mould: it is imposing a shape on our needs, which do not disappear but turn into desire."¹ I wonder - does not mediation do the same? The mediation process imposes a shape on our language and in turn our language imposes a shape on our needs. We speak of them as 'future needs', 'needs of the children' ...but what of past needs, of our current needs- if not met, do they turn into desire? What language in mediation do we have for unmet needs and desires?

There has always been a mismatch between language and desire....we use "an endless chain of signifiers in pursuit of a 'real' satisfaction that Lacan calls 'lack'."² Before we speak and can use the word "I" or the words for what we desire, we have desire. Then as we learn words, the words we use often 'lack' the reality of what we desire.

But all the time the subject of desire wants to continue to show itself and as we lack the language to describe it, we use signifiers. So what words in mediation do we use to signify desire? What structures of desire do we 'hear' in mediation that tell us what the parties' crave?

From the mediator, who desires settlement, we might hear the discourse of the Court. The mediator might invoke the discourse of fear or law to motivate the parties to settle. From the mediator who desires agreement, we might hear the discourse of the 'norm,' as the mediator uses the signifier of the normal to persuade the parties towards peace.

And for the parties—what signifiers of desire do the parties use to express their desire for love, or reconciliation, separation, or power or control? What language do they use as they seek attachment to calm their unattached selves, or calmness to keep their self intact in the chaos of conflict? And what hidden desires does their language conceal? In the transcripts that I have analysed, what do the prolonged discourses about the location, denomination and even the principal of the children’s schools, signify? What does discourse about the children’s dental plan disclose? What meanings are we missing as we focus on the surface meanings of these discourses?

How do we get from the jumble of conflict - the chaos - to the destination in mediation? How do we make meaning in the disorganised realm, whether of experience or thought, and sort this out into discrete units that we can work with, discrete units of needs? What language do we use? What do we use as signifiers? And what desire is repressed as we substitute our language of desire for the language of needs?

I wonder if in every mediation that we are selling ourselves short. With our future focus, our discourse of needs, as we shape and mould – are we simply trying to camouflage that, that is continually trying to show itself - our gaps, our cracks, our humanity, our beauty, our desires!

1 Elizabeth Wright (1982) ‘Modern Psychoanalytic Criticism’ in Ann Jefferson and David Robey (eds) *Modern Literary Theory: A comparative introduction*, p122

2 *ibid*

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