
Kluwer Mediation Blog

Narratives - The Stories We Tell, The Realities We Create

Joel Lee (National University of Singapore, Faculty of Law) · Tuesday, April 14th, 2015

March was a sad month for Singapore. On 23 March 2015, Mr. Lee Kuan Yew passed away at the age of 91. Lee Kuan Yew was a controversial figure. He was the first Prime Minister of Singapore and he was also widely considered as the founding father of Singapore. He was well-regarded by many world leaders and attacked by the international press on his policies and practices.

I do not intend this month's entry to be a tribute to Lee Kuan Yew's achievements. Much has already been written about that and I dare say, much more will be written in months and years to come.

I want to devote this month's entry observing the narratives that surfaced in the news and in social media after Lee Kuan Yew's passing and the flame wars that occurred as a result.

What narratives were in play? For some, it was the story of a man who gave his life to build Singapore into the first world nation that it is today. This was a determined, driven man who made great achievements despite impossible odds. For others, it was a man who had a hidden story, not much known to the public. He was a top student, a devoted husband and a loving father who fiercely kept his private life apart from his public duties. Yet for others, he was an iron-fisted, albeit benevolent, leader who banned chewing gum, sued his political opponents and rode rough shod over civil liberties.

It is not my concern which, if any, of these narratives are true. And that is exactly the point. Narratives are constructed realities. Yet they are so real and coherent that the person holding that narrative will, figuratively, defend it to the death. And so they did.

Some responded to these narratives by pointing out that the stories told were generalizations which, by definition, were incomplete. Others provided specific examples of exceptions to those generalizations. Yet others provided counter narratives either to nuance existing narratives or to flatly deny the validity of the narrative of others. Some even went so far as to attack the person holding the narrative. Needless to say, in the ensuing flame wars, emotions ran high and many were unyielding. There were of course those who sought to bring a voice of balance to the conversation. Unsurprisingly, they too got flamed.

When mediating, it is important for us to realise that we are dealing with the narratives of the parties. Some of these narratives are not necessarily so incompatible that we need to work with the narratives directly. Adopting an evaluative approach would provide parties a solution that they can live with yet leaving their narratives intact. A facilitative mediator achieves a similar outcome but works through addressing interests with parties, hopefully obtaining a better outcome than through a straight compromise. Nonetheless, parties' narratives remain relatively intact.

However, some conflicts are so laden with values or deep-seated that the only way to resolve those problems is to work directly with the narratives themselves.

This is of course the province of narrative therapy and mediation. And I should make clear that I do not purport to be an expert in narrative mediation and that what follows are my random thoughts.

There are a number of challenges to working with parties' narratives. First, parties, and indeed sometimes the mediator, may not realize that there are narratives involved. We may think that the views people express are simply opinions. Yet, opinions stem from beliefs which in turn stem from values which in turn stem from identity statements. This explains why people can feel so strongly about their opinions.

Therefore, in order to work with narratives, one must surface those narratives in the first place. This requires the mediator to induce, from a number of examples of statements or behaviors that the party provides, a pattern from which a narrative can be discerned.

Secondly, once the parties' narratives have been identified, those narratives have to undergo a process of deconstruction. Whether this is through critical questioning or the exchange of ideas, the party's deep seated beliefs, values and sometimes identity are essentially being questioned and challenged. Needless to say, this process can be quite uncomfortable for both the mediator and the party and needs to be done with rapport, sensitivity and respect.

The point of deconstructing the parties' narratives is to allow for space for a joint narrative to be constructed. This joint narrative, when successfully constructed allows for the conflicting aspects of the prior narratives to dovetail. Easy to say, extremely hard to do.

And this leads to third point. To fully surface, deconstruct and reconstruct parties' narratives takes skill, sensitivity and time. It may take several sessions with "homework" for parties between sessions. Further, the line between mediation on the one hand and counseling/therapy on the other may become blurred. The goals of this type of mediation will have to be redefined and the focus on achieving a quick outcome that has become the focus of many mediators in recent times.

Back to Lee Kuan Yew then. While his passing seemed to have created divisions based on differing narratives, I think it has also provided an unique opportunity for those who have these differing narratives to explore their narratives and to learn. This can be done organically or through a facilitated discussion but it does require a willingness to engage in this type of conversation and to have one's views

transformed. Whether this will happen or not, remains to be seen.

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The image shows a screenshot of the Kluwer Arbitration Practice Plus web application. The interface is primarily blue and white. At the top right, there is a navigation menu with a checkmark icon and the text 'Explore Practice Plus'. Below this, a profile card for 'Gary R. Egan' is visible, showing his name, profile picture, and some statistics. To the left of the profile card, there is a section titled 'Relationship Indicators' with a sub-section 'By relationship' and a list of names. Below the profile card, there are three circular charts or gauges, each with a different color (green, blue, and red). The bottom of the image features a dark blue banner with the text 'Kluwer Arbitration' on the left and the 'Wolters Kluwer' logo on the right.

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