

The narrative arc of conflict

Kluwer Mediation Blog

July 26, 2018

Ian Macduff (NZ Centre for ICT Law & School of Law, Auckland University)

Please refer to this post as: Ian Macduff, 'The narrative arc of conflict', *Kluwer Mediation Blog*, July 26 2018, <http://mediationblog.kluwerarbitration.com/2018/07/26/narrative-arc-conflict/>

"Odd as it may seem, I am my remembering self, and the experiencing self, who does my living, is like a stranger to me." (Kahneman, *Thinking, Fast and Slow*, (2011): 390)

This blog arises from my recent reading of Dr Atul Gawande's *Being Mortal: Illness, Medicine, and What Matters in the End* (2014). This might sound like grim reading but it is in fact a compassionate and realistic exploration of those final stages of life which – as Gawande emphasises – have been medicalised and extended beyond what might be a 'normal' span. The point I want to take from this book, however, draws on one key discussion about the perception of pain – for which, and for our purposes, I'd substitute "conflict". Reading this book led me back to two other sources of thinking on the relationship between the perception, recollection, and experience of pain – or conflict: Daniel Kahneman's *Thinking, Fast and Slow* (2011) and John Winslade and Gerald Monk's earlier work on *Narrative Mediation* (2000).

The connection arises this way: in exploring patients' experience and recollection of pain (either through medical procedures or an illness), Gawande notes that the patients' recall of the experience is in fact less an accurate account of the experience itself than a positively or negatively distorted recollection – and thus narrative – of the experience. Thus, even where a procedure is relatively painful (that's the "experience" part of it) if the final part of the procedure is less painful, the overall recall of the procedure tends to be that it wasn't so bad after all.

By way of a different metaphor and example, think of the experience of watching your favourite team or sports person playing their sport, and doing so to an exhilarating standard (think World Cup or Wimbledon). However, the team or player stumbles at the last moment, or the opposing team or player scores a last minute victory against the run of play, and the whole preceding experience crumbles. Rather than reporting on an hour's worth of top notch sport, the fan now grumbles about the "snatching of defeat from the jaws of victory" or the persistent capacity of one's team to "choke" at the last minute. It's not unheard of that team coaches, who have had a run of successes, find themselves out of a job because of the most recent failures.

What's going on here? Gawande's puzzle is that we seem not to evaluate the experience – good or bad – but rather report on a recollection of the experience. In describing medical experiences – certainly those involving some pain – patients recall either the worst or the most recent moment. An accounting of the experience at the time tends to differ from a recall of the total experience afterwards.

This is where Gawande turns to Kahneman who has researched and reported on research on this very question. The curious thing is that subjects/patients/disputants tend to ignore the duration of the experience and instead report on what Kahneman calls the "Peak-End" rule. That is, they report on the whole experience from the perspective of either the worst or most recent moment. Experimental inquiry also runs into less traumatic realms than surgery and pain in which, for example, subjects are asked to rate the experience of a vacation that has been positive and relaxing until some last minute hitch – a theft, a poor hotel experience, say. Subjects typically rated the overall experience more poorly because of the single "peak" or "end" event.

Kahneman admits to having been puzzled by this, but notes the repeated experimental evidence that – as he says – confirms that this reflects our two "selves": the "experiencing" self, enduring (or enjoying) each moment; and the "remembering" self, giving almost all weight or judgment to the worst moment or the most recent moment. The "remembering self seems to stick to the Peak-End rule even when the ending is an anomaly" (Gawande, 237).

The key conclusions that Kahneman draws from this evidence are, first, the tendency to neglect the duration of events, and second, the reliance on the Peak-End effect. The evaluation of an experience (here again think of disputants' account of conflict) reflects the quality of what is seen to be a typical period and not the whole duration. Thus again, echoing the "vacation" evaluations, subjects' evaluation of the story of a person's long and happy life was significantly reduced by the addition of five "slightly happy" years towards the end: this was seen to have made the whole life worse. "Duration neglect is normal in a story, and the ending often defines its character. The same core features appear in the rules of narratives and in the memories of colonoscopies, vacations, and films." (387) And, we might add, disputes.

Thus, "In intuitive evaluation of entire lives as well as brief episodes, peaks and ends matter but duration does not." (Kahneman, 388)

Now, the link with the pioneering work of Winslade and Monk in narrative mediation is this: as the term implies, they are concerned with the narrative arc of a dispute, and the stories that parties bring to a mediation. As this work draws inspiration from social constructionist theory, they are also less concerned with a focus on individual interests than with the ways in which "stories" of conflict are produced and amplified in social and cultural contexts (by way of more recent parallel, see Kevin Avruch's work on *Context and Pretext in Conflict Resolution* (2012).

In particular, Winslade and Monk point to the parties' perception of "violations" of what might otherwise be positive accounts of relationships – primarily, but not exclusively, in family relationships – which thus come to contaminate the whole narrative of the relationship. In their terms, parties arrive at a mediation "conflict saturated": that is, the perceived violation (the peak or end of the experience) becomes the whole of the story. As with Kahneman – though using a different language and clinical framework – Winslade and Monk note that it's the remembering self that shapes the construction of the experience. Thus, one failure or aberration in a commercial contract is perceived to contaminate the whole of an otherwise constructive relationship; one isolated act or event comes to define the whole of an interpersonal relationship; one historical act of brutality comes to define the whole of the historical relationship between – say – two religious or ethnic groups. Or the acts of one person come to exemplify the attributes of all of their compatriots.

The practical points for mediators that Winslade and Monk make, from their experience in family mediation originally, and narrative mediation generally are, first, the importance of recognising this distorting power of the remembering self's tendency to redefine events; and second, the need to destabilise the conflict saturated narrative – and especially to do so by looking for competing and constructive narratives within the parties' own experience. The objective is to reframe narrative perspectives in order to re-engage with the "duration" element, especially if predominantly positive; and to focus on the constructive, to highlight strengths and competences rather than focussing on extracting the 'interests' that might be the key to the perceived conflict.

As Kahneman points out, a decade after Winslade and Monk's work: "Most important, of course, we all care intensely for the narrative of our own life and very much want it to be a good story, with a good hero." (387).