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# Kluwer Mediation Blog

## On the shoulders of giants...

Joel Lee (National University of Singapore, Faculty of Law) · Friday, October 14th, 2011

*This post is dedicated to the memory of Steve Jobs (1955-2011)*

[Author's note: I had in mind another subject for this blog post. I was however moved to write this one. It seems fitting that I am writing it on my Mac Book Air.]

5 October 2011 was a sad day. It saw the passing of a Giant. Steve Jobs was a visionary who revolutionized both technology and design, not just once, but repeatedly. His passing affected my wife and I deeply. He was a hero and inspiration to us. As we held one another, coming to terms with the loss, I could not help but notice the Ipad and Mac Books around us. While many of us do not know Steve Jobs personally, I am sure we knew of the man. And I am sure that the world has been touched by his work.

Steve Jobs achieved much in his life. He had a vision and the determination and perseverance to make his vision a reality. Not content to do what everyone else is doing, he was a game changer. He was constantly pushing the boundaries and raising the bar. His ideas and products were not only outside the box; they were the new box that challenged others to think outside of. And the fruits of his vision and ideas constantly found new ways to keep us connected no matter how far apart we appeared.

Isaac Newton said "If I have seen a little further it is by standing on the shoulders of Giants". There is no doubt that many have been inspired by Steve Jobs and that future technological advancements will be seen by those standing on the shoulders of Steve Jobs.

What does this have to do with mediation? There are many parallels. First, as mediators, we have a vision about mediation. This is what motivates us to work with parties in conflict even through what looks like our bleakest moments. Whatever model of mediation we adopt, we have a clear sense of what mediation should look like and is supposed to achieve.

There is a story about 2 stone cutters working on a statue. When asked what they are doing, one replies "I am making a statue". The other replies "I am creating a work of art for future generations!"

Are you just seeking to settle a dispute? Or creating something greater? What is your vision?

Secondly, we too seek to think outside the box and guide parties into doing so. What is the box? It is the box of zero-sum win-lose thinking. It is the box of tit for tat, of wanting revenge. It is the box

of focusing on past hurts. As mediators, we use our skills to move parties outside of the box; to a space where they can begin to find peace. This space could be one where they can focus on present and future needs or one where forgiveness is possible or one where mutually beneficial outcomes can be created. In doing so, we are guided by our vision. How are you helping parties to think outside the box?

Thirdly, parties in dispute are disconnected from one another, the other party's interests and sometimes, even from their own interests. As mediators, we bridge the gap and reconnect parties. We help them talk about the things they find hard to do themselves, identify and acknowledge needs and find ways to satisfy one another's needs. In this reconnection, we help parties see one another as another human being; one with valid needs and worthy of respect.

There is zen story which goes "A big wave does not laugh at the small wave for being small, nor does the small wave envy the big wave for being big. They are all part of the Ocean from which they come and to which they will return." Being disconnected and separate is an illusion. How are you helping parties dispel this illusion?

Finally, let us acknowledge and honour the giants in our field. Whatever model of mediation you practice, who are your pioneers? As a practitioner of interests-based mediation, I owe a debt of gratitude to Roger Fisher and William Ury for publishing their ideas in "Getting To Yes". The transformative mediators have Joseph Folger and Robert Baruch Bush to honour. The narrative mediators, John Winslade and Gerald Monk. No doubt, these giants stood on the shoulders of their own giants.

Like Steve Jobs, these have spent their time and energy making their vision a reality and I hope that when they step back to look at what they have achieved, they can take some comfort in the fruits of their labours; i.e. you and your work in the mediation field.

Take a moment to think about the giants upon whom you now stand on the shoulders of. Honour them.

Now take a moment and ask yourself, "For whom will I be a giant for?"

Rest in Peace Steve.

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