


Kluwer Mediation Blog

A dog's tale: a mediation story for the holiday season

Diane Levin (Diane Levin LLC) · Tuesday, December 27th, 2011

This year brings an overlap of winter holidays from two different traditions and calendars: Hanukkah and Christmas. Each of these holidays is a story of miracles – wondrous events occurring in times of conflict. 

In one story, Jewish rebels defeat the Syrian king who outlawed Judaism. Taking back the great temple in Jerusalem from the monarch's control, the rebels cleanse and rededicate it. There is only sufficient olive oil to burn in the temple's lamp for a single night, yet the oil miraculously burns for eight days. In another story, a husband and wife flee the edict of a murderous king, refugees seeking safety to protect their infant son – who will one day grow to become a great teacher and healer. Each story is about the triumph of peace over violence, hope over uncertainty, and light over darkness. They remind us that anything is possible.

Last night as I lit the menorah, thinking about the miracles, large and small, that attend our lives, I remembered one particularly miraculous mediation.

A husband and wife came to me, seeking help with their divorce. In addition to the real and personal property they had acquired during many years of marriage, they had also run a business together for many years, so untangling their lives was complicated, with many difficult decisions to face.

Just hours before their meeting with me, the wife called to ask if they could bring their dog with them. "He's very sweet and well-behaved," she said, "and I think we'd both feel better if he were there with us." An animal lover myself, I had no objections and encouraged her to bring the dog along. The husband and wife soon arrived, followed by an enormous dog, one of the biggest I'd ever seen. After they introduced themselves and their dog to me, their dog drank deeply from the water bowl I'd provided for him and curled up in the corner of my conference room with his head on his paws. He didn't close his eyes but remained watchful, looking from one of his humans to the next.

The mediation began. The one issue not in contention was what they wished to do in planning for their dog following the divorce. They were working in consultation with their vet and an animal behavior expert to come up with a visitation schedule and residence plan that would meet their dog's best interests. With that issue set aside, we began identifying and working our way through the other issues to be addressed. Not surprisingly, the discussion became emotional. First, the wife raised her voice, pressing her case against the husband's proposal. The dog suddenly stood up from his corner, strode to the wife's side, sat down beside her and leaned against her, resting his head in

her lap. She stroked the dog's head, and her voice assumed its normal tone. After a few minutes, the dog returned to his corner. Soon it was the husband's turn to become agitated, and as the volume of his voice began to rise, the dog once more stood up, came to his side, leaned against him, and rested his head in the husband's lap.

And so it went. Sensitive issues were raised, one spouse or the other became upset, and time and again, there the dog would be, leaning against the person who needed his comfort most in that moment, the great furry head resting upon a knee. The moment would pass, clarity would come, the anger would evaporate, the discussion would progress, and back the dog would go to his corner.

We took up a particularly difficult issue next. As the conversation continued, both husband and wife became increasingly agitated. I could see that the mediation was approaching that make-it-or-break-it moment. This was where it all falls apart, or it all comes together.

For a brief second or two I gathered my thoughts, thinking how best to frame what needed to be said to shift the discussion into "make it" territory away from "break it". As I was about to speak, I felt something warm and heavy lean against me. I looked down, and there was the dog, his head resting in my lap this time, looking up at me with his dark brown eyes. Evidently this time I was the one who needed support, at least in the judgment of this wise dog.

The husband and wife both stopped in mid-sentence, their voices falling silent. In amazement, they gaped at the dog with his head in my lap. Then, tension broken, they each smiled, shaking their heads. In an instant, the moment had changed. They were laughing now. "How about if we..." said one. "Great idea," said the other, "how about if we also..."

A few minutes later, they were standing up and hugging each other, the most difficult issues addressed to their mutual satisfaction. Their dog bounded about the room, his tail wagging.

That's why I love this work. And this is why in this season of miracles I'm thinking of these two people and their extraordinary dog. Although this time of year reminds us of divine agency, conflict's end is dependent upon human intervention – and, in some cases, canine.

A happy, healthy, peaceful and prosperous 2012 to you all. May the year to come be filled with miracles for you and yours.

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