
Kluwer Mediation Blog

Falling Upward?

John Sturrock (Core Solutions Group) · Tuesday, April 29th, 2014

I have been reflecting recently on the individual and collective professional journeys we all undertake – and on the different stages we reach. My reading has taken me to a thought-provoking book by theologian Richard Rohr, entitled *Falling Upward*.

Rohr's thesis, put very simply, is that there are two stages to life. The first, necessary, stage involves building up a career with an identity, fulfilling ambition, acquiring material things, seeking security and achieving status. The second stage, which not everyone reaches, incorporates and transcends the first as we achieve a certain peace, appreciate the important things, accept things as they are and subordinate the ego. It involves unlearning, perhaps breaking the rules – and quite a lot of courage. As this stage is untested and unfamiliar, we often need an unwelcome push to move on to it, the “falling upward” of the title.

In an analysis that seems pertinent to lawyers, Rohr invites readers to reflect on the dualistic thinking which is characteristic of stage one, where we see things as black and white, right and wrong, try to find obvious solutions and experience denial and blame. This is essentially an adolescent state, he says, without the maturity to acknowledge that things are much more complex, that inevitably there are shades of grey everywhere, and that “both and” rather than “either or” fits the reality of that complexity.

According to Rohr, we are a “first half-of-life culture”, largely concerned with surviving successfully, culminating in finding familiarity in habits which can be falsely reassuring. This is where most of us reside permanently, he says. Our systems of recognition and reward are configured to validate this stage. We may spend a lifetime climbing the ladder of success only to discover when we get to the top that the ladder is leaning against the wrong wall....indeed, that may have been obvious to us all along but we couldn't quite see it. How many of us reach a career pinnacle and then look back... and wonder? How many of us are still well-placed to reposition the ladder, if we can but see the possibility of doing so?

So, what about our journeys as problem-solvers, advisers, conflict managers and wise counsel? To what extent are we stuck in stage one? Do we encourage and even perpetuate a paradigm which is essentially inefficient and immature? How much are we influenced by the “self”, and by our perceptions of our roles and positions and of the system of which we are a part? How able are we to stand back and view, objectively, how effectively we and the system contribute to overall societal health and well-being?

What would a move to stage two look like? How would we change our advice to clients and

colleagues? How would we expand our vision of what is possible, desirable or appropriate? Would we challenge a system which promotes win/lose outcomes? Would we consider more collaborative problem-solving, in which actively to seek gains for all concerned would be consistent with virtuous professional conduct? To what extent would we expand our horizons from legal rights and remedies to more holistic approaches encompassing broader interests, needs and aspirations? Where would personal advantage, whether monetary or position, fit?

Rohr himself refers to the legal system. Courthouses, he says, are good and necessary first-half-of-life institutions. In the second half however, we should try instead to influence events, work for change, quietly persuade, change our own attitude or forgive, instead of taking matters to court. How might we apply this thinking, if at all, to reform of civil justice systems? Or to our guidance to clients?

And, for those of us who are mediators, do we think we have all of this sorted? Are we second stagers, helping others out of stage one? Or are some of us stuck in our own first stage? Which should we be? Do we at least approach mediation as a second stage pursuit? To what extent is mediation a second stage pursuit? And might it also get stuck in its own first stage? How would we know?

As always, such questions are challenging for many of us – and easily dismissed. That is our choice, individually and collectively. In any event, younger readers will be relieved to know that Rohr reckons we probably cannot get to stage two until we reach middle age. For those of us for whom that is no longer a distance away, Rohr might at least give us some food for thought.

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