

# Making the Case for Campus Mediation by Bill Warters

*(Originally published in **The Fourth R**, Vol. 55, Feb/March 1995)*

Organizers of college and university mediation programs commonly face the task of having to "sell" the concept of mediation services to reluctant administrators. In this article, I briefly present a range of rationales that I have used with some success to make the case for campus mediation. As each campus setting is different, program developers will have to pick and choose among these strategies based on their situation and the style and personality of the particular administrators with whom they are dealing.

## Unique Aspects of the College and University Environment

It is important to begin with some understanding of the unique aspects of higher education settings. Analysts of higher ed have long pointed out that colleges and universities are complex organizations that are different in major respects from industrial organizations, government bureaus, and business firms. For instance, Baldrige (Baldrige, et al., 1977) has argued that in comparison to other more "rational-purposive" organizations, colleges and universities must grapple with the following:

- 1)** They rarely have a single clearly articulated mission and thus suffer from goal ambiguity, and must therefore build decision processes that can grapple with a higher degree of uncertainty and conflict;
- 2)** They are "people processing" institutions that serve clients who typically demand a voice in the decision-making processes;

- 3)** They have a problematic technology, for in order to serve clients (who are primarily students) their technology must be holistic and adaptable to a wide range of individual needs;
- 4)** They are professionalized organizations in which employees demand a large measure of control over institutional decision processes;
- 5)** They are becoming increasingly vulnerable to external political, economic, and demographic pressures that make internal decision making more difficult.

These and other similar characteristics have led higher education theorists to describe universities as "organized anarchies" and "loosely coupled systems (Weick, 1976). By providing a service that works to bridge the gaps between different campus domains, campus mediation centers that work with all sectors of the campus community can help "re-weave" and strengthen a college's "loosely coupled" system in ways that will reduce destructive conflict. A well-nourished mediation program play a key boundary-spanning role in an effectively administered university. And because universities are people-processing institutions that require flexibility, they can benefit from a mediation service that is equipped to respond to the inevitable exceptions that arise from ongoing attempts to standardize procedures.

There are a variety of good arguments for why campuses are conducive settings for mediation. Some of them include:

- 1)** Campuses create a definable community with clear boundaries and shared social norms. This situation is similar in an unusual way to the tribal and agrarian settings where mediation was first "discovered" and studied by anthropologists in the 1950's and 60's. Simply leaving the community or

ignoring the other party as a means to resolve conflict does not come as easily on college campuses as in some other settings, and thus mediation makes sense.

**2)** Campuses typically include some very close quarters for both student residents and staff. This almost invariably creates numerous situations wherein a high density of people, often from very diverse backgrounds (urban/rural, rich/poor, etc.), are required to interact frequently and interdependently (as roommates, officemates, classmates, etc.), thereby creating both conflict situations and the need to resolve them productively.

**3)** There is a great diversity of relatively strong "subcultures" that co-exist on any particular campus. This leads to powerful differences of perception, opinion, and lifestyle, which are common sources of conflict. As Peterson and Spencer, in their article "Understanding Academic Culture and Climate", remind us,

"The literature on differing perceptions of administrators, faculty, and students and on the differences among disciplines and professions is extensive. Sensitivity to the potential existence of subcultures and subclimates is important for anyone doing (work) in this arena." (p 16)

The existence of these strong subcultures make campuses unique "conflict laboratories" where individuals with great perceptual and value-based differences must coexist in an environment that clings to overarching norms of collegiality and reasoned persuasion.

**4)** Increasingly, the campus setting provides mediation program planners with a range of in-house "conflict resolution

experts" who have practical and/or theoretical experience with various aspects of dispute resolution. These people can be seen as allies and program architects. Asking around at the Business School, Law School, Schools of Social Work or Teacher Education, Peace Studies Programs, the Ombudsperson's Offices, Residential Life Offices, etc. can often lead to a surprising number of people touched by the ADR movement, and those who have extensive experience resolving campus disputes informally.

**5)** Finally, it appears that a certain level of "cultural saturation" is occurring around the ideas espoused by the mediation movement. The popular press has made people more aware of mediation and negotiation as viable options. Local community mediation centers have proven themselves, and more and more elementary schools, junior highs, and highschools are turning out students who have had direct experience with mediation/conflict resolution programs or curriculum before coming to college. These highschool graduates not only bring conflict management skills to their new campus, they also bring expectations about how their chosen institutions will manage and respond to conflict. While there is still a decided lack of programs at the community college level, work has begun there as well. These educational innovations at other levels are now beginning to bear fruit at the collegiate level.

**The Administrative Effectiveness Argument** As Girard, Townley and Rifkin (1985) and others point out, there are many administrative concerns that potentially can be addressed by mediation programs. From the point of view of an administrator, mediation may be useful for the following reasons.

**1)** Internal, low-level resolution of disputes is clearly preferred

to more costly options such as litigation, internal upheaval, or bad publicity. MIT ombudsperson Mary Rowe also argues that staff members in conflict actually prefer a multiple-option approach to dispute resolution that includes the option of an informal response.

**2)** During times of decreasing college enrollments and smaller pools of college-bound highschool students, concern among college decision-makers about retention of students increases. Mediation is another tool that can assist administrators and staff in keeping those students who do opt to come to their campus from leaving due to unresolved or painful conflict experiences.

**3)** Mediation can support the educational goals of the organization while still addressing breeches of the social contract. Disputants often learn important lessons from conflicts that are handled appropriately.

**4)** Management studies have found that between 25-30% of the typical managers time is spent responding to conflict. (see Dana, 1984) The more that disputes can resolved at a low-level, the less administrative time must be spent arbitrating the myriad of disputes that arise among both staff and students.

**5)** Mediation can help maintain good relationships among individuals and groups on campus and between the institution and the local community. This is an important goal for most campus administrators, as it makes their jobs easier in the long run.

**Theories of Effective Campus Leadership** There are concepts of leadership in the field of higher education that can also be used to argue for the value of mediation. For instance,

researchers Cameron and Whetton (Cameron, & Whetton, 1985) have outlined eight tenets that they see as essential for administrative effectiveness in higher education that fit well with a mediation approach. I would suggest that campus mediation services can play a helpful role in all eight areas. Cameron and Whetton argue that effective college administrators must:

- 1) Place emphasis on process and outcome;
- 2) Have low fear of failure, and willingness to take risks;
- 3) Nurture the support of strategic constituencies;
- 4) Not immediately succumb to the tyranny of "legitimate demands;"
- 5) Leave a distinctive imprint;
- 6) Error in favor of over-communication, especially in times of flux;
- 7) Respect the power of organizational cultures; and
- 8) Preserve and highlight sources of opportunity at the institution.

Campus administrators who buy into these ideas should embrace rather than fear the introduction of mediation programs on their campuses, as well-developed programs can help them achieve their overall goals more effectively, and provide a "safety net" to support other innovative efforts.

**The Student Satisfaction Argument** Students remain the primary "customer" on campuses, and it is useful to point out that mediation can help maintain student (i.e., customer) satisfaction. From student's point of view the option of using mediation can be important because:

- 1)** students don't want to have to "turn in" or "bust" others in order to address problems;
- 2)** students appreciate services that can address both off-campus as well as on-campus life, and they appreciate tangible support in resolving disputes;
- 3)** "small" problems can get addressed, instead of falling through the bureaucratic cracks;

- 4)** mediation can help prevent escalation and prolongation of conflict that disrupt their social and academic life;
- 5)** students enjoy and benefit from the learning opportunities provided through training as a volunteer or intern at a center;
- 6)** mediation provides students with a new way to approach each other and deal with disputes. This can mean a second chance for friendships that might otherwise have been lost due to the negative effects that conflicts can have on emerging relationships;
- 7)** mediation provides another tool for dealing with conflicts with roommates and club members from very diverse backgrounds and lifestyles.

In many cases students have been the most vocal supporters of programs. Several programs are being run as student collectives. As more and more students come out of highschools that have mediation programs, student support and interest in campus mediation is very likely to increase.

**The Fostering Positive Values Argument** Another compelling argument for campus mediation is that it provides a mechanism to help instill and support certain values within the community. Drawing on the experience of neighborhood-based programs such as San Francisco Community Boards, campus-based mediation/dispute resolution systems have the potential to provide strong community building function, one that can respond to people's interest in performing significant "civic" work at the campus or community level. The volunteer mediators and advisory board members of a center, for example, are given the opportunity to work collaboratively with others who may be quite different from themselves, building a community cohesiveness that is based on common work and experience. At the Campus Mediation Program I directed at Syracuse University, faculty, graduate students,

undergraduates, administrators, and staff members from many different areas of campus life went through mediation training together, and built relationships at a level that did not exist before. Through this process common norms and values were established and promoted -- values such as equality, appreciation of differences, cooperation, and nonviolence.

Some important values that can be articulated and supported by a campus mediation center include the following:

- 1)** Conflicts are a part of campus life, and they have value when they are understood.
- 2)** The peaceful expression of conflict within the community is a positive value. It can help prevent damaging and costly conflict escalation.
- 3)** Sharing the responsibility for conflict resolution more equally between those experiencing the conflict and the institution at which it occurs is a valuable teaching tool that builds responsibility and accountability. It provides a hedge against people's tendency to want to "give away" their conflict to someone else to handle.
- 4)** The modeling provided by people who voluntarily and nonviolently resolve conflict can build and reinforce community norms.
- 5)** Developing and nurturing diversity and tolerance for differences is essential for campus survival. Mediation provides a good vehicle for working through differences in a respectful manner.

**Areas for Further Development** Arguments as to how mediation can address the perspectives and concerns of faculty and unionized and non-unionized staff on campus is largely missing from

the above discussion. Programs addressing conflicts within and between these groups have been slower to develop, due in part to faculty's focus on autonomy, and to the reticence of human resource personnel (and union-leaders on unionized campuses) to modify their existing conflict resolution and grievance-handling systems. Another important campus constituency left out of this discussion are the campus attorneys and legal services staff. Only recently have their national organizations begun to explore the possible utility of mediation. Developing the case for mediation for these groups should be high on our collective agenda.

Finally, we might also begin to share ideas and perspectives on the different rationales for promoting campus mediation more effectively. What success have others had in petitioning for conflict resolution programs at their institutions? For people who have tried the arguments suggested in this article, what have been the results? It may also be worthwhile to begin to explore and compile arguments used against campus mediation as well as those used in its support. It is clear that there is much to do besides argue the case for campus mediation. We must continue to develop and refine the way mediation centers are run and the way that conflict resolution is practiced within higher education. We must also improve and refine our methods for evaluating campus mediation work, measuring less tangible variables such as the impact of conflict resolution programs on campus "culture." With improvements such as these, it is possible that the arguments in support of the improved management of conflict in higher education will become increasingly self-evident.

*At the time this article was written, Bill Warters was the Director of the PhD program in Dispute Resolution at Nova Southeastern University. Dr. Warters was also the Chair of the National Association for Mediation in Education's (NAME) Higher Education Committee.*

## **References**

- Baldrige, J. V., Curtis, D. V., Ecker, G. P., & Riley, G. L. (1977). "Alternative models of governance in higher education." In J. V. Baldrige, & T. E. Deal (Ed.), Governing Academic Organizations (pp. 2-25). Berkeley: McCutchan Publishing.
- Cameron, K. S., & Whetton, D. A. (1985). "Administrative Effectiveness in Higher Education." Review of Higher Education, 9:1:35-49.
- Dana, D. (1984). "The Costs of Organizational Conflict," Organizational Development Journal, Fall:5-6.
- Girard, K., Townley, A. Rifkin, J. (1985). Peaceful Persuasion: A Guide to Creating Mediation Dispute Resolution Programs for College Campuses Amherst, MA: The Mediation Project.
- Peterson, Marvin W. & Spencer, M. G. (1990) "Understanding Academic Culture and Climate," New Directions for Institutional Research, 68:Winter:3-18.
- Rowe, M. P. (1990). "People Who Feel Harassed Need a Complaint System with Both Formal and Informal Options" Negotiation Journal, April:161-171.
- Weick, K. E. (1976). "Educational organizations as loosely coupled systems." Administrative Science Quarterly, 21:1:1-19.