I believe we can change the world if we start listening to one another again – Margaret J Wheatley.¹

Listening is indisputably a significant aspect of mediation, yet its role has been largely unexamined in the literature in the field. Neither has it been widely examined in other fields. Instead, the literature on listening has focused on the development of skills, models and taxonomies. Rather than focusing on altering behaviours or classifying modes of listening, it is suggested that deepening the mediator’s capacity for listening may support people in conflict to express themselves more openly, relate to each other more deeply and enter into dialogue. For mediators, finding the way to deeper listening may involve developing an awareness of their own concerns, prejudices and assumptions and setting them aside in order to create a deeply receptive space open to the dynamics of conflictual dialogue.

INTRODUCTION

Mediators, facilitators, and experts in conflict resolution may possess a capacity for listening which is more finely tuned than that of others. Our professional role often requires us to foster a deeply receptive capacity, and our work is made easier if we can create an atmosphere of listening in which the people with whom we are working are encouraged to attend, not just to us, but to each other.² In fact, if openness and recognition of each others’ stories can begin through listening for people in conflict, then the hope of collaboration and a shared perspective may be nurtured.³

LISTENING AS A DEEPLY RECEPTIVE CAPACITY

In mediation training, the importance of listening is usually addressed, and skills which may enhance listening are frequently taught.⁴ In such training, listening is often presented as a spectrum of behaviours, skills or techniques which a mediator may acquire. Rather than the acquisition of a toolkit of behavioural skills, it is suggested that the activity of “being a listener” (as opposed to “doing listening”) requires an attitude of receptivity. Although this attitude may be approached through learning skills, its achievement involves more than ticking off a checklist. Significantly, the capacity for deep self-reflection is a first step.⁵ From deep reflection, we begin to recognise our own assumptions, prejudices, beliefs, values and directive impulses. Once these are acknowledged, then, according to dialogic theory, the receptive space may become available for the story of the speaker.⁶

Developing a deeply receptive capacity may also require the kind of emptiness or inner silence which allows unexpected perspectives or inner silence to reveal themselves. If the parties’ perspectives can begin to be seen as aspects of the whole rather than as exclusive and divisive unities in themselves, then mediation and dialogue may achieve their goals of producing more effective relationships, shared agreements and new understanding.

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Despite the apparent significance of listening as a capacity which facilitates mediation and dialogue, there is little research which examines the role of listening in mediation. This article will explore the literature in hearing and listening, acknowledge some of the research in listening from other fields and propose the consideration of deeply receptive listening as a fundamental capacity for a mediator or facilitator.

**IDEOLOGY AND PHILOSOPHY**

> Who speaks sows, who listens reaps – Argentine proverb.

According to the Argentine proverb, listening is lauded as a capacity which allows us to “reap” rather than to sow. A contemporary Italian philosopher, Gemma Corradi Fiumara, explores the receptive dimension of communication and returns to the Greek word for “speech” or “word”, “logos” which in its active form, “legein”, includes the sense of gathering and storing.

Corradi Fiumara suggests that although our culture has focused on speech and expression, which are also grounded in the etymology of “logos”, we have granted less attention to the vital aspect of gathering and receiving. She laments the dimming of the receptive capacity:

> If we were apprentices of listening rather than masters of discourse we might perhaps promote a different sort of coexistence among humans: not so much in the form of a utopian ideal but rather as an incipient philosophical solidarity capable of envisaging the common destiny of the species.

Such receptivity to the “otherness” of our interlocutor connected with exploration of what is common to humanity is the basis of a relational perspective. Researchers and theorists who view the human being as fundamentally relational include philosophers, psychologists, social constructionists, and feminists. The founders of transformative mediation describe the “relational” worldview as the ideology underpinning their theory and approach. A relational stance may seem intrinsic to some forms of mediation, especially those defined as facilitative or transformative. These approaches usually involve the possibility of sharing and listening to different stories of the same events, rather than simply solving the problem of the conflict or providing a suitable solution.

Listening, as a deeply receptive faculty, is not simply focused outward. It requires the willingness to listen within, and to acknowledge and step aside from our own prejudices to enable us to enter the thoughts of another. If we are to truly relate to each other, then, as Corradi Fiumara states:

> The message from the other will not attain its expressive potential except in the context of a relationship through which the listening interlocutor actually becomes a participant in the nascent thought of the person who is talking. But a listener can only “enter” in a way which is at once paradoxical and committing: “by taking leave”, by standing aside and making room.

Taking leave or “becoming empty” is a theme to which we will return.

**“DOING” LISTENING: LISTENING MODELS, STYLES AND PROFILES**

Much theory and research in listening practice in the 1980s and 1990s, assessed and categorised listening and explored a listener’s style or the way a listener would “do listening”. Rather than reflecting on the capacity of listening as a complex phenomenon, various typologies and models addressed practical aspects of listening. These profiles are not supported by rigorous research or theoretical findings and offer scant assistance to listeners aspiring to deepen their receptive capacity. They are included in this study to indicate the way in which listening has been approached in recent years.

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8 Corradi Fiumara, n 7, p 57.
10 Bush and Folger, n 3, p 23.
11 Boulle, n 2, p 44-45.
12 Corradi Fiumara, n 7, p 144.
decades and to support Corradi Fiumara’s claim that research of the expressive aspect of communication far outweighs the emphasis on the receptive capacity.\(^{13}\)

Brownell’s “HURIER” model fragmented listening into a range of skills: Hearing, Understanding, Remembering, Interpreting, Evaluating and Responding.\(^{14}\) In a text developed to enhance listening skills, Brownell\(^{15}\) suggests that this model derived from her research in organisations regarding employee dissatisfaction with management listening skills.\(^{16}\) The published research focused on the rating by subordinates of their managers’ skills related to her exploration of how listening is perceived, rather than analysis of the composite skills of listening.

**TABLE 1** Styles of listening

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<td>Discriminative</td>
<td>Discriminative</td>
<td>People</td>
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<tr>
<td>Comprehensive</td>
<td>Evaluative</td>
<td>Action</td>
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<td>Therapeutic</td>
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<td>Critical</td>
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<td>Time</td>
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Wolvin and Coakley’s\(^{17}\) behavioural model defines listening as “the process of receiving, attending to and assigning meaning to aural and visual stimuli”. They further delineate a taxonomy as follows:

- Discriminative: distinguishing auditory and visual stimuli; and
- Comprehensive: understanding in order to retain, recall and use information.

These two types of listening form the roots and trunk of their “listening tree” and describe a possible cognitive model that may relate to subconscious auditory processing. That is, discriminative and comprehensive types of listening may be described as the functions of perceiving and conceptualising the auditory information. The three types below form the “branches” of the listening tree and seem to correspond to individual preference or to the kind of listening required by a particular situation:

- Therapeutic: provide support, help and empathy;
- Critical: evaluate the merits of the message; and
- Appreciative: process message with some type of appreciative response.

A similar taxonomy based on listening style or preference is described by Wolff, Marsnik, Tacey and Nichols.\(^{18}\) The authors distinguish four different listening styles and suggest situations in which it may be useful to adopt each of these styles:

- Discriminative: in lectures, training sessions, meetings when listening to learn (p 47);
- Evaluative: when listening to a persuasive speaker (p 51);
- Appreciative: for informal or “leisure” listening (p 59); and
- Empathic: to gain information, feelings, understanding (p 63).

Familiarity with either of these models may be useful in order to observe our preference for a particular style. As with many other inventories – such as Rahim’s conflict styles: integrating, obliging, compromising, dominating and avoiding\(^{19}\) – our particular preference will often be situation-specific. We may always listen to a particular politician with a critical style while we usually listen appreciatively to the opposition perspective. With certain friends, or in a professional situation,

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\(^{13}\) Corradi Fiumara n 7, p 89


\(^{15}\) Brownell, n 14, p 16.


we may naturally assume more “therapeutic” or empathic listening which we find impossible in other situations. Of the styles described above, perhaps the empathic style, defined in Wolff’s typology, most closely resembles the deeply receptive capacity which is open to all the aspects of the speaker’s story.

Another pragmatic approach to assessing listening is used in a listening profile which reveals whether the listener is “people, action, content or time” oriented. This model, developed by Watson, Barker and Weaver, suggests that individuals have differing goal-preferences and purpose-preferences for listening. They propose that we listen from one preference out of habit and may not explore using an alternative style, even when it could “enhance the reception and recall of information”. The focus on the instrumental use of listening as an information-gathering tool, where shifting your preference from time orientation to content orientation may achieve greater success – eg in a lecture rather than in a conversation with a friend – may have some uses. In mediation, we may frequently choose a “people” orientation over a preference for “time”.

More helpful to our thesis that self-awareness is an essential first step in achieving a deeply receptive capacity, is research on barriers to effective listening. Golen investigated a range of “barriers” experienced by business-college students. The 25 barriers included common listening experiences such as lack of interest, daydreaming, distractions, concentrating on a speaker’s mannerisms, and detouring. Based on the statistical analysis, he reduced these barriers to six dimensions, expressed, in rather pejorative terms, as:

- laziness;
- closed minded;
- opinionated;
- insincere;
- bored; and
- unattentive.

Although the terminology Golen uses may indicate self-obsession rather than self-awareness on the part of the listener, the term “barriers” offers a helpful analogy. In those moments when we become more aware of the speaker’s mannerisms than the content of their speech, or when we feel ourselves disengaged in the conversation because we have formed an opinion about the solution, then, with a great enough degree of consciousness to realise we are disengaged, we can choose to “suspend” our opinions or our distractedness in order to re-engage in listening.

These typologies may have some value in initial training in mediation to develop an awareness of preferences or styles. For example, it may be useful to acknowledge that we are generally a discriminative listener (using Wolvin and Coakley’s typology) so that we enter a mediation able to observe when this tendency arises, and then choose to suspend it, in order to listen more receptively.

**ACTIVE LISTENING: TOWARDS DEEPER LISTENING**

The term “active listening” has been popularised in many fields. Carl Rogers developed this concept to inform the practices of humanistic psychology. The concept of active listening moves us away from the styles and models described above, and more closely approaches a deep receptivity. Rogers describes being attentive to the “inner world” of the speaker as involving listening for the total meaning, responding to the speaker’s feelings and non-verbal cues.

Many legal practitioners are aware of the importance of listening to achieve “a shared understanding of their [clients’] concerns”. However, lawyers are often trained in more critical listening. To encourage teachers at New York Law School to develop more active and open listening,

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21 Golen S, “A Factor Analysis of Barriers to Effective Listening” (1990) 27(1) JBC 25 at 32.


researchers have developed a refreshing set of exercises entitled “Experiments in Listening”. These practical “experiments” were designed to encourage legal teachers to explore their “unique concerns and goals” for listening. They describe the practice of listening from “pure belief” as opposed to the more evaluative “pure doubt” which is common in the legal field. These insightful exercises are recommended for mediators, as well as the intended legal academic audience, since their aim is to deepen awareness of our listening habits.

A Japanese study aimed to clarify the direct effects of active listening by assessing the training of middle managers in person-centred attitude (the term from humanistic psychology which includes active listening, unconditional positive regard, congruence and empathy). This two-day training involved so-called “mental health” practices including lectures on stress, techniques of relaxation and, significantly, the experiential practice of active listening and sharing personal communication in the workplace. The researchers stressed the importance of inventive experiential training (IEL) to achieve the experience of listening. That is, the training method is strongly elicitive, requiring full participation of the trainees in the process, to the extent of allowing the content to arise from the findings of participants in their inventive activity. The researchers suggest that this method achieves more effective results than demonstration and role play. Their use of an experiential program was effective in teaching listening “skills” by teaching listening “attitude”, with significant increases in noticeable listening attitude and skills measured one and three months after training. Qualitative information also supported the success of this training with 96% of participants describing the training as “meaningful” or “very meaningful”, and 95% indicating that they believed they would be able to fully utilise active listening in the workplace.

Such results indicate that elicitive and experiential training in listening may be a valuable addition to mediation training where it is not already offered.

LISTENING IN MEDIATION AND DIALOGUE

Although listening may be an essential capacity for mediation specialists, the focus on listening in leading mediation texts is sparse and research on listening is difficult to locate.

Moore’s use of the term “active listening” suggests that mediators can use active listening to determine whether the expression of emotions is a “negotiation tactic”, “posturing” for the other parties, or if indeed the feelings are genuine. It is questionable whether listening which serves the purpose of diagnosis or evaluation plumbs the depths of a receptive capacity.

Mayer divides listening into two styles, although he later refers to these styles as two dimensions of conflict. According to Mayer, integrative listening connects thoughts, emotions and actions, perhaps approximating the type of listening which would facilitate what Bohm would describe as dialogue. Distributive listening apportions blame and ascertains information which could create what Bohm would call discussion. Mayer cautions that his distinctions of listening are somewhat artificial and that the two kinds of listening are usually present together. He suggests that the urge to distribute or integrate through listening will change rapidly and often in our conversations, suggesting the kind of situation-specific listening alluded to in the discussion on taxonomies above.

Those who are interested in fostering dialogue in mediation focus more intensely on listening. Although dialogue is not specifically a mediation approach, when parties in mediation enter into

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28 Kubota et al, n 27 at 65.
31 Bohm, n 6, p 6.
dialogue it is likely to provide a powerful and empowering experience. While dialogue is often mistakenly associated with “two-ness”, the etymology suggests “a stream of meaning flowing among and through us and between us”.32 Fundamentally, dialogue is an experience of relatedness within a conversation, “a living experience of inquiry within and between people”33 possibly occurring between two people or within a group. Isaacs claims a “simple but profound capacity to listen” is at the heart of dialogue.34

Although listening may seem passive, according to Isaacs, it is “an expansive activity”.35 Further, listening seems to have an energetic presence. In an energetically receptive state, it is not so much what we express as what we contribute to the atmosphere just by listening.36 According to Buber, it is not necessary for everyone present to speak for dialogue to be genuine, but, he says “no one can be there as a mere observer … dialogue can thus either be spoken or silent”.37 In the way that Isaacs describes silence filling a room,38 many mediators may have experienced the powerful silence which arises when parties begin to listen to each other, or when a party who has been silent speaks for the first time.

**TOWARDS A DEEPER RECEPITIVITY**

It seems that deeply receptive listening has a special or esoteric quality that goes beyond the everyday instrumental view of a skill or a type of behaviour. Such listening seems to hold enormous power, although not in the way we often regard power. “In listening … a force is released that cannot be transformed into power without itself vanishing”,39 suggesting it may not be possible for deeply receptive listening to be coercive or manipulative. For example, many people, especially mediators and others of the so called “helping professions” are oriented towards helping, advice-giving and wanting to fix problems. An example described by Wheatley distinguishes “helping” from profound listening. A black South African woman told her story “of true horror” to a circle of listeners. As she felt the circle “closing in” she put up her hands “as if to push back their desire to help”. The woman told the circle of people that she did not need them to fix her, she just needed them to listen.40 It seems that if we listen with the thought of giving advice or offering help, our listening has a motive and is not truly open, receptive, and empty.

Most people can recall a time when they experienced being truly “listened to” and, through reflecting on such an experience, can compare it with their experiences when deep listening was not present. The difference is stark. Experiences of being profoundly listened to, or of profoundly and deeply listening to another, may seem random. On reflection, people often wonder how one might capture – or even cause – that “magical quality”. According to Isaacs, hearing has no on and off switch;41 unless we become self-aware, we may have no way of “switching on” deeply receptive listening.

While the listening taxonomies explored above might provide ways of listening more effectively, they seem unlikely to provide a way into a deeply receptive listening space. Although Isaacs speaks of

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32 Bohm, n 6, p 6.
33 Isaacs, n 22, p 9.
34 Isaacs, n 22, p 83.
35 Isaacs, n 22, p 83.
36 As a trainee mediator, I was privileged to observe the work of an experienced colleague. At the conclusion of a mediation in which I had sat at the back of the room silently “observing”, the parties turned and thanked me – AE.
38 Isaacs, n 22, p 87.
39 Corradi Fiumara, n 7, p 61.
40 Wheatley, n 1, pp 88-89.
41 Isaacs, n 22, p 85.
learning to “listen not only to others but also to ourselves”, it may be that even listening to ourselves creates a barrier to the “special state of chemistry” that Levine calls “listening with spirit”.

The insistent question lingers: how may we attain this special state, this particular way of being that allows open, non-judgemental, full-hearted listening? Levine calls it a quality of “detached, selfless listening”, while Isaacs says that “what is actually required is a kind of disciplined self-forgetting”. Perhaps what we need to accomplish is to listen from within and, at the same time, quite outside ourselves; at least, that seems to be where attention should be focused. Corradi Fiumara cites Sciacca who says “the force of silence is as deep as the ‘infinite’ of our inner world” and “as long as we remain firmly attached to our capacity for creating silence the ‘external world’ will not be able to completely reabsorb us.” The more consciously we are able to create this inner silence, the more we may be able to hold on to the silence when the outer world contrives to draw us back.

For example, a mediator may arrive at the mediation-room preoccupied by concerns. He or she might be concerned that one side will withdraw from the mediation before they get started, while knowing that the other side very much wants the mediation to be helpful. Carrying this concern, he or she probably listens less openly in this circumstance than if he or she is confident and unconcerned. It is as though his or her listening is filtered through this anxiety. The outer world, to some extent, “reabsorbs” the mediator. Unless he or she gives conscious attention to creating silence within, her capacity to listen outside himself or herself “in spite of the din” will be limited.

**MEDIATOR AS LISTENER: EFFECTS ON MEDIATION**

It seems that the ability to hear (with which human beings are born) and the capacity to listen are not the same. Reflecting Corradi Fiumara’s concern that we value expression at the expense of our receptive capacity, Yankelovich suggests that people in conflict are skilled at finding words and phrases to express their feelings, but the capacity to listen and empathise with the feelings of others is rare. It may be understandable that parties engaged in conflict have a reduced capacity to listen and empathise. Bush and Folger would describe this as the weakness and alienation characteristically experienced by people in conflict. This may explain the impact of an effectively listening third party who, by his or her very presence, shapes both the conflict interaction, and also any outcome. We are suggesting that “dialogue” (as defined above) between the parties may be an experience shaped and cultivated through the effective listening of the mediator. That is, once people in conflict have experienced effective listening from the mediator then they may achieve greater connection to each other, and a freedom to collaborate and participate with each other.

Although various practitioners identify a range of behaviours to bring about dialogue – for example respecting, suspending and voicing – listening appears to be the “way in”. Isaacs takes listening further, saying that “in dialogue one discovers a further dimension of listening; the ability not only to listen, but to listen together as part of a larger whole”. This implies that listening has a

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42 Isaacs, n 22, p 83.
43 Levine, n 22, p 84.
44 Isaacs, n 22, p 84.
46 Corradi Fiumara, n 7, p 97.
47 Corradi Fiumara, n 7, p 95.
49 Bush and Folger, n 3, pp 49-51
51 This is described as recognition in the transformative model of mediation: Bush and Folger, n 3, p x.
52 Isaacs, n 22, p 83.
53 Isaacs, n 22, p 103.
relational quality, reflecting the words of Wheatley: “Listening moves us closer, it helps us become
more whole, more healthy, more holy.” Wheatley contends that much suffering in society is a result
of not listening, and what is needed is the offering of “attentive silence”. 

This receptive attitude of the mediator is well illustrated by a mediation involving Maori parties.
Eight “whanau” (extended family) members were expected to attend. On the day, others arrived
unexpectedly taking the number up to twelve. The mediator welcomed everyone to the session.
Among the unexpected arrivals was the mother of a party. This woman was very emotional, and as the
mediation commenced, she asked, through streaming tears, if she might say a “karakia” (prayer) to
begin. The mediator said “of course”. After saying the karakia, the woman said that she would now
leave, which the mediator simply accepted, thanking her for attending. Such an instance illustrates that
receptivity might be a matter of trusting listening and truly letting go, allowing our intuitive
knowledge and skill to guide us: “Listening … faces all difficulties unarmed and lets unfold what must
happen”. 

CONCLUSION

Rather than a skill that is learned or taught through prescriptive models or systems, deeply receptive
listening seems to be concerned with a way of being, ie being present in a state of self-awareness, and
simultaneously a state of unselfconsciousness, or freedom from concerns. It seems to involve being
intently tuned in.

Developing presence, which has the capacity to “‘bring peace into the room’” and which
“connects self and whole” may, as its foundation, call on us to develop an ability to listen openly
and intentionally. It may require that, at the same time as identifying our filters, our limitations and
assumptions, our opinions and judgements, and our listening styles, we also may be bold enough to let
these go. It may compel us to allow ourselves to experience genuine silence within ourselves; for in
deep and open silence, true listening can occur. Then we might become like an empty container in
which there is space, or capacity to hear and absorb more. Within this vessel, the stories,
experiences, emotions and understanding of people in conflict may be more fully expressed,
understood and worked through.

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54 Wheatley, n 1, p 90.
55 Wheatley, n 1, p 91.
56 Corradi Fiumara, n 7, p 61.
59 Isaacs, n 22, p 244.