The Importance of Developing Emotional Intelligence in Mediators

by

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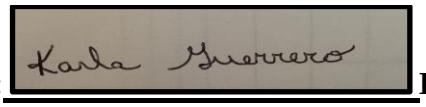
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Every moment during this work that I was feeling a lack of motivation and a tendency to procrastination I just visualize him at the present moment with that peculiar determination, full of life personality that characterizes him and his words full of encouragement and positivism.

Thank you, Thank you and Thank you...

Abstract

An analysis was conducted on possible common points between developing Emotional Intelligence (EI) in mediators and the important effects of this during Mediation processes. For the purpose of this study some contributions made by authors such as Salovey and Mayer and Daniel Goleman in relation to EI are made and along with research in mediation, correspondingly.

The study analysed literature focused on previous research that explained how emotions play a fundamental role in parties and the mediator during mediation and how important it is for the mediator to learn how to address those emotions. This paper suggests that EI is a skill to be taken in consideration for Mediators as a part of their studies and also for institutions to incorporate EI as an academic subject during the course.

The research methodology focused on gathering data extracted from the population in the mediation sector. The format has been structured in a survey of nine closed ended questions answered by a yes or no and one open question which allows us to know the mediators' perceptions related to the subject. The main findings show evidence that 93.9 % of sampling believe the importance of and the impact that EI have in mediations during a conflict between the parties and also between the mediator. This study also recognizes the lack of EI levels regarding the participants of the survey.

The principal result of this investigation is that EI, in comparison to IQ, is an ability that could be learned. EI can be practiced to improve by developing the four most important components: self awareness, empathy, self management and social skills. EI offers Mediators the opportunity to better understand behaviours and reactions coming from the parties during the conflict as well as being aware of owns.
Keywords: Emotional Intelligence, Mediation, Emotions, Conflict.

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CHAPTER I

1.Introduction

One of the things I learned when I was negotiating
was that until I change myself,
I could not change others."
Nelson Mandela[1]

In order to find those aspects that justify the relation between those two subjects Emotional Intelligence in Mediators and Mediation, the mediation is considered as (Guillaume- Hofnung, 2009, p.72)[2] an ethical communication process, based on the responsibility and autonomy of the participants, in which a third party who is impartial, independent, neutral, without binding or consultative power, without an authority greater than the parties favors the encounter through confidential interviews, fostering social ties, in order to prevent or resolve the situation in question. Where peoples' sense of responsibility and autonomy reach maximum development as a result of the mediator's ability to guide both parties towards reaching an amicable agreement.

The alternative dispute resolution - such as mediation processes - has become popular and now is the moment where the skills of mediators are most necessary and required in Ireland. For this reason, a

[1]Nelson Mandela Foundation, *Living the Legacy*, Nelson Mandela Quotations
[2]Guillaume-Hofnung M. (2009) [1ère édition: 1995], *La médiation*. Paris: PUF. Heidegger M., 1958, Essais et conférences. Paris: Gallimard.

hypothesis that the innovation of creatives forms of EI shall be considered as a part of the mediation training.

In the actual social world, conflicts are inevitable and involve two or more parties as adversaries in trying to achieve their goals. Mediators may act in many ways that help lessen belligerent feelings and antagonizing interactions that influence members of one side accurately perceiving the other side or believing that mediation is trustworthy. A mediator sympathetically listens to expressions of hate, anger or fear, coming from the parties.[3]

The special skill of Mediators to improve performance in mediations is the main objective of this study; the use of EI as mentioned by Daniel Goleman[4] gives a person the ability to perceive, identify, and manage emotion provides the basis for the kinds of social and emotional competencies that are important for success in almost any job . Furthermore, as the pace of change increases and the world of work makes ever greater demands on a person's cognitive, emotional, and physical resources, this particular set of abilities will become increasingly important and create a special link between mediators, parties and results.

Chapter two is the presentation of the literature review, and will introduce a range of research focused on EI. The chapter reveals the opinions and perspectives of authors who are focused on the subject EI as a fundamental part of the human being education.

Chapter three - research methodology - defines information about the participants, the criteria for their inclusion in this research and how they were sampled. The instrument applied for data collection is explained, with the procedures followed to carry out this study. The methodology applied for this

[3]Kreisberg, L. (2007), *Constructive Conflicts*, page 231, Third Edition, Rowman & Littlefield Publishers, INC,USA.
[4]Goleman, D (1998), *Emotional-Intelligence Working with Emotional-Intelligence.* Bloomsbury Publishing.UK

dissertation will allow us to give the necessary support to interpret the material investigated with the findings in the research.

Chapter four and five details the data collected from the surveys and is presented and analyzed. The survey seeks to demonstrate how important it is to develop EI in mediators. The purpose of this survey was to further investigate the mediator's perspective about EI, how they see emotions during the conflict and the way mediators see EI as a subject in mediation training.

Chapter six, the discussions, this chapter presents a critical judgement combining the expectations of the study, hypothesis, secondary data sources and primary data sources.

This study is not measuring levels of EI in mediators. But what it is important at the end of this investigation is to demonstrate the importance of EI to face the negative effects of everyday mediations and transforms hostile environments.

EI should be seen for mediators and institutions as an opportunity to develop operational virtues regarding the managing of emotions, promoting personal wellbeing, psychological strengths in positive belief systems, differential personality traits, stable styles of thinking during conflicts, and a set of social and emotional skills.

2. Aim and Objective of the Dissertation

2.1. Aim

To investigate, collect data and analyze how important it is to develop EI in Mediators.

2.2. Objective

The main objective of this dissertation is to complete a study that extracted relevant factors of how dealing with emotions is a vital skill to develop during Mediation processes and what is the perspective and benefits if an EI certification applied in Mediation training. In order to achieve success in this objective, the following points have to be considered:

- A large study to understand how emotions are part of a conflict.
- A focus on the strong relationship between conflict, EI and Mediation Process.
- A technique to measure the mediators opinions in this subject.
- The data collected will be synthesised to establish if there are significant results on how important it is to develop EI in Mediators.
- A classification of numbers of Mediators that find EI training an important tool to perform better in Mediations.
- A comparison between gender preferences in EI in Mediations.
- A focus on how appropriate is for Mediators to develop EI skills during Mediation Certifications.
- An analysis based on the results of this study to recommend institutions EI training.

3.Research Questions

1. Is the ability to understand, control and evaluate emotions (EI) a necessary skill to develop for Mediators?
2. How can EI help Mediators during a Mediation?
3. Could EI be considered or not as a part of a mediation courses?

4.The hypothesis of the Dissertation.

Nowadays, Mediation is a very popular form of Alternative Dispute Resolution (ADR) because it offers a confidential, facilitative, affordable and voluntary process in which the parties with the help of a mediator attempt to reach a mutual and acceptable agreement to resolve their conflict.

The Law Society in Ireland strongly encourages experts to offer their clients Mediation at first to find a solution taking always into consideration if the conflict is appropriate for a mediation technique. The Mediation is always an option on the dynamic of the conflict and the willingness of the participants to engage.

During the mediation process, the mediator is one of the most important parts due to the fact that it is the neutral figure that is going to help the parties to find a solution to their dispute. The Mediator will lead the parties during the process and that is where the hypothesis comes: it is important for Mediators to develop EI to understand the root of the conflict considering that the nature of the conflict is a result of misunderstandings, distrust, emotions and a lack of understanding.

The hypothesis also suggests that, with training of EI during the mediation certification, mediators are more prepared to manage emotions that arise during mediation and allow them to develop the empathy to understand every parties' side and make the parties process the mediation in a less traumatic way.

The hypothesis of the dissertation also formulated the idea that mediators might consider EI as a crucial

subject while studying mediation because it will teach them some skills that will give them a guide for more EI and creative performance during the mediation.

CHAPTER II. LITERATURE REVIEW

Salovey and Mayer, (1990, p.136)[5] define EI as the ability to monitor one's own and other's feelings and emotions, to discriminate among them and to use this information to guide one's thinking, and actions sound clear and persuasive.

Emotional Intelligence or *EI* is the capacity of each individual to manage their emotions. Later on, Salovey and Mayer, Goleman (2005, p.34)[6] describes EI as the capacity to be aware of, control and express one's emotions and to handle interpersonal relationships judiciously and empathetically. Some of the most important abilities of EI are to be able to motivate oneself and persist in the face of frustrations; to control impulse and delay gratification; to regulate one's moods and keep distress from swamping the ability to think, and to empathize and to hope.

In a mediation where the process is voluntary and informal ADR, it is certainly impossible to separate people's emotions from the problem. Fisher & Ury state that (1983, p.13)[7] it is certainly very difficult to work within separate but what it is possible is to develop EI in mediators to know how to address people's problems and emotional situations. As the mediator, it is vital to become and understand part of the conflict.

Mediator Gary Gill Austern (1994, p.27)[8] described that the presence of mediators is the essential characteristic that a mediator must bring at the moment of the mediation, and defines it as "that quality of human action and behavior that addresses the moment, that quality of service that is so alive as to be grace-filled and which transforms its agent into a harbinger of that which heals; that quality of being that

[5]Petrides, K. V. (2010) "Trait Emotional Intelligence Theory," *Industrial and Organizational Psychology*. Cambridge University Press, 3(2), pp. 136–139.
[6]Goleman, D (1998), *Emotional-Intelligence Working with Emotional-Intelligence.* Bloomsbury Publishing.UK.
[7]Fisher R. and Ury W. (2011). Getting to Yes. Negotiating an agreement without giving in, Second Edition by Fisher, Ury and Patton. Random House Business Books.
[8]Bowling, D. and Hoffman, D. (2003)., Bringing peace into the room. *How the personal qualities of the mediator impact the process of conflict resolution.*

loses itself as it meets the other".

Human beings are individuals of strong emotions who often have radically different perceptions and have difficulty expressing clearly their emotions. In most cases, emotions typically become complicated with the objective merits of the problem.[9]

Having stated that, this literature review will help us to make a study based in different mediation theories, about how important it is for mediators to understand their own emotions and to develop competencies to understand parties' emotions considering that a mediation is a process where an unresolved conflict is involved and they are willing to cooperate to avoid litigation.

PART I

5.History of Emotional Intelligence Theories

The history of emotional intelligence theory dates back to the work done by Harvard psychologist Howard Gardner in 1983. According to Gardner (1983, p.6)[10], he created the theory of Multiple Intelligences. He states that human beings have nine different kinds of intelligence that reflect different ways of interacting with the world. Each individual has a unique combination or profile.

Similar to our fingerprints, there are no two individuals who have the same configuration of the nine kinds of intelligence.

The notion of EI was introduced for the first time by Salovey and Mayer in 1990 and since then has become popular. But the topic of EI has appeared stronger in 1995 with Daniel Goleman who has an

[9]Fisher R. and Ury W., (2011). *Getting to Yes. Negotiating an agreement without giving in*, Second Edition by Fisher, Ury and Patton. Random House Business Books.
[10]Gardner, H., (1992). *Multiple intelligences* (Vol. 5, p. 56). Minnesota Center for Arts Education.

extensive study in this subject and who has spent years doing research to prove that EI is more important than academic skills.

Daniel Goleman (1998, p.263)[11] based on his course called Managerial Assessment and Development in the Weatherhead School of Management at Case Western Reserve University demonstrated that developing EI is fundamental. Since 1990 this course has been offered to several groups of students, mostly men and women pursuing an MBA. Each student starts the course by choosing a specific set of competencies that he or she wants to strengthen. Instead of the familiar one-size-fits-all approach to management training, students construct a highly individualized learning plan. The students have three one-hour sessions a week over nine weeks.

To prove how well it works, Weatherhead puts its students through a set of rigorous assessments, using measures of applied EI. When the ratings are compared with the assessment scores the students earn when they start the program, they show an average 86% improvement. And even more significantly, follow-ups three years' later have consistently shown these gains by holding on the job.

So after results like this, it is clear that, if they are given the right tools, mediators can master the EI capabilities that the ADR demands.

Another example on how important it is to develop skills such as EI is when a finance graduated was reflecting on his first corporate job after leaving university. He recalls, "As a finance graduate, I thought my work day would be all about showing off my skills. It took me less than a week to find out I was very wrong. I was the least experienced and treated like it, I could not seem to say anything sensible when my

[11]Daniel Goleman (1999), *Working with Emotional Intelligence*, New Edition, London, United Kingdom, Bloomsbury Publishing PLC.

boss asked me questions, I did not know what to do in meetings and just stared at the emails on my computer, not knowing how to respond, or even if I should respond." The issues Lucas faced are very common. There has been a concern for some time that university graduates are not adequately prepared for employment. According to a survey more than half of employers said all or almost all graduate recruits started work without crucial abilities such as team work, communication, time management and the ability to meet deadlines.[12]

Mediators are able to gain and maintain EI skills that are relevant at the start and throughout their careers. The proposition for mediation graduates is that they are generally being taught the technical skills they require but there is a poor technique of teaching how to develop their EI such as working with conflict, time management, making decisions, demonstrating leadership, positively contributing, communicating effectively, structuring their day, relating to colleagues and more.

6.IQ vs EI

According to Goleman (2001)[13]:"At best IQ contributes about 20% to the factors that determine life success, which leaves 80% to other forces...No one can yet say exactly how much of the variability from person to person in life's course it accounts for. But what data to exists suggests it can be as powerful, and at times more powerful, than IQ."

IQ is the abbreviation for "intelligence quotient". The IQ will determine the intelligence in a person and the capacity of him or her to learn and understand. It is this which determines how effectively every

[12]Stephen P. Robbins, Timothy A. Judge, Timothy T. Campbell (2017), *Organizational Behaviour*, Pages 4,5 and 415, Second Edition, United Kingdom, Pearson Education LTD.
[13]Cherniss, C., Goleman, D., (2001), The emotionally intelligent workplace. *How to select for measure and improve emotional intelligence in individuals, groups and organizations,* San Francisco: Jossey-Bass.

person deals with situations as they arise, and how we obtain advantage from our experiences. The intelligence differs from person to person. The IQ test or test of intelligence attempt to measure it[14].

It is generally agreed that an individual´s IQ rating continues in development to about the age of thirteen, after which it is shown that it is likely to slow down, and beyond the age of eighteen little or no improvement is found.

Lam and Kirby (2002, p.281)[15] mentioned that individuals high in EI may be better equipped to assimilated emotions and hence resist the negative, inhibitory effects of intense emotions and concentrate better on cognitive tasks.

The IQ tests are precisely objective tests and are designated to give an objective assessment of the candidate's abilities in a number of disciplines; for example, in verbal understanding, numeracy, logic and spatial, or diagrammatic, reasoning skills.

One of the most remarkable differences between the IQ and EI is that we can improve and get better in intelligence tests by practising them, but it is not possible to increase our actual level of intelligence adversely to EI.

[14]Philip Carter and Ken Russell (2008), *Test and Assess your IQ: Numerical, Verbal and Spatial Aptitude Tests, Introduction*.
[15]Downey, L.A., Lee, B. and Stough, C., (2011). *Recruitment consultant revenue: Relationships with IQ, personality, and* emotional intelligence. *International Journal of Selection and Assessment*,*19*(3), pp.280-286.

Contrary (Davies et al., 1998, p.559)[16] mentioned that despite EI's popularity, it suggests that EI is more important than IQ and the large number of claims for the power of EI is a determinant of success in relationships and careers, many EI measures have received little scientific support.

7.Emotional Intelligence Skills

Some significant research in EI have described different aspects of the characteristics. Some of them are the following.

Bradberry and Greaves (2017)[17] describe EI as your ability to recognize and understand emotions, and your skills at using this awareness effectively to manage yourself and your relationships with others. EI is a foundation of skills.

For example, when most people seek help in conflicts, they have problems in mind that they judge as responsible for their conflicts but what they do not realize is that usually more fundamental issues can be identified only by EI, and are creating and sustaining the difficulties they encounter in their relationships. In this example, the source of the problem was never really addressed. If the mediator could detect what emotions and feelings are behind the parties the outcome will have different results during his or her mediation.

Mediators could improve EI by working with her or his resilience and the ability to cope with a crisis and self-awareness which allows you to understand other people, how they perceive you, your attitude and your responses to them at the moment.

[16]Ciarrochi, J.V., Chan, A.Y. and Caputi, P., 2000. A critical evaluation of the emotional intelligence construct. *Personality and Individual differences*, *28*(3), pp.539-561.

[17]The Power of Emotional-Intelligence |Travis Bradberry| TEDxUCIrvine (Accessed August 02nd, 2019)

Daicoff (2002, p.829)[18] describes the typical "lawyer personality" as the one which may naturally work against training EI skills. Empirical research has suggested that for the last forty years of the 20th century lawyers generally tend to be more competitive, dominant, achievement-oriented, focused on the economic bottom line, and analytical than the general population. They tend to respond to stress by becoming more aggressive and ambitious. Barristers may prefer to make decisions on the basis of rights, rules, logical analysis, rationality, and justice, as opposed to contextual factors such as interpersonal relationships, emotions, harm to others, or mercy. They may not be interpersonally sensitive or skilled, although they prefer to be perceived as socially ascendant, confident, and dominant. Furthermore, a barrister may tend to focus on external rewards and achievements and suffer from higher rates of psychological distress.

It is to be expected that this case is not only for lawyers. Any individual and also mediators, in general, could have difficulties to accept training in emotional intelligence skills.

Emotion can control our thoughts and profoundly influence our behavior. Developing EI skills helps us recognize, contain and effectively communicate our emotions, and also to identify the emotions of other people. These abilities have been proven to surpass high cognitive intelligence in predicting success in all types of relationships, at home, at work, and in all other areas of our lives.[19]

8.Emotional Intelligence and Emotions

Scientifically, "Emotions are primary motivating processes which arouses, sustain and direct activity in

[18]Daicoff, S.S., (2012). *Expanding the Lawyer's Toolkit of Skills and Competencies: Synthesizing Leadership, Professionalism, Emotional Intelligence, Conflict Resolution, and Comprehensive Law.Santa Clara L. Rev.*,52, p.795.
[19] Segal, J.Ph.D./Jaffe, J.Ph.D(2008), *The Language of Emotional Intelligence*, First Edition,McGraw Hill.

our body. They are physical sensations that drive us to act and are related to energy. The physical reactions that accompany our emotions and that also can be detected during mediations can be divided into one of three categories: the first one is called physiological and features some reactions such as hunger, nausea, tension, headaches. The second one is emotional will and features anger, anxiety or happiness. The last one is intuition and involves gut feelings and inner knowing.[20]

According to Easterbrook, 1959; Mandler, 1975; Simon (1982, p.161)[21], cognition can be disrupted by emotions, such as anxiety and fear, yet emotions also can prioritize the cognitive system to attend to what is important, and even focus on what it does best in a given mood.

The role of a mediator is to neutralize those emotions involved in the dispute and get the disputants to focus on solving the problem. During the mediation process, the participants and the mediator individually experienced sources of energy, influence, and information inside.

According to Leonard L. Riskin (2004, p.85)[22] the mediator could also be affected by emotions. Mindfulness meditation has appeared in a variety of programs in connection with teaching negotiation and mediation. Mindfulness can help negotiators and mediators in several ways. It offers mediators methods for calming the mind, concentrating, experiencing compassion and empathy, and achieving awareness of, and "distance" from thoughts, emotions, and habitual impulses that can affect making good judgments and building rapport and motivating others. Thus, it can help dispute resolution professionals

[20]Coffey, D. and Murray, D. (2010) *Emotional Intelligence (EQ) A Leadership Imperative*! First Edition, Dublin, Ireland, Management Briefs.
[21]Salovey, P., Mayer, J.D., Caruso, D. and Yoo, S.H., (2002). The positive psychology of emotional intelligence. *Handbook of positive psychology*, *159*, p.171.
[22]Riskin, L.L., 2004. Mindfulness: Foundational training for dispute resolution. J. *Legal Educ.*,*54*, p.79. Available at http://scholarship.law.ufl.edu/facultypub/636

to make appropriate strategic decisions.

This study is not emphasized in mindfulness meditation but to be clear, mindfulness meditation is one of the multiple sources that we can employ to develop some competencies of emotional intelligence.

In order to understand better, the relation between emotions and conflict we have to understand that in most cases emotions are strongly involved in a dispute and they are the root of the problem. Having stated that, it can be considered hypothetically that if a Mediator can understand the emotions during the process, they are likely to take control and transform the environment in an opportunity to find a solution to their problems.

Similarly Bowling and Hoffman (2003, p.43)[23] mentioned that mindfulness allows mediators to make better judgments about how the mediation process should work because it enables mediators to keep a focus on goals and to maintain a moment-to-moment awareness or to be "present" with themselves and the parties. Furthermore, a mediator's presence, especially his or her degree of calm, can dramatically affect the participants' moods and behaviors. They point out that there is a dimension to the practice of mediation that has not received enough attention: the combination of psychological, intellectual, and spiritual qualities that make a person who he or she is. They believe that those personal qualities have an absolute impact on the mediation process and the outcome of the mediation. This impact may be one of the most potent sources of the effectiveness of mediation. For Bowling and Hoffman, successful mediators have the ability to transcend those conflicts, or perhaps to use the insight derived from them, to help the parties in the mediation reach a genuine resolution of the dispute that brought them there.

[23]Bowling, D., (2003)., Mindfulness Meditation and Mediation: Where the Transcendent Meets the Familiar.*Bringing peace into the room: How the personal qualities of the mediator impact the process of conflict resolution*, pp.263-278.

9.Emotions in a Conflict

According to Druskat and Wolff (2001, p.201)[24], conflicts may emerge from the inability of individuals to be aware of control and manage their emotions. One of the outcomes of EI is to maintain relationships and this is also one of the purposes for the parties if they have decided to address their conflict to a mediation.

Based in abstract factors, a conflict could be perceived as a disagreement, the perception **t**hat our concerns and interests are at odds with those of another or the expression of different views, interests and goals by persons who depend on one another.[25]

In the majority of cases, a conflict is a negative result between parties based in events such as the result of our inability to learn from our past mistakes, our failure to accept them as opportunities for growth, learning, and improved understanding, a lack of acceptance of ourselves that we have projected onto others, and a way of blaming others for what we perceive as failures in our own lives.[26]

Mediators have to understand that the parties have been already affected by past events that they have difficulty to overcome.

Emotions are one of the most important components of a conflict; they are either negative or positive. Those emotions experienced about a specific situation, a person in particular, an issue, different interests

[24]Jordan, P.J. and Troth, A.C., 2004. *Managing emotions during team problem solving: Emotional intelligence and conflict resolution. Human performance*,*17*(2), pp.195-218.
[25]Cloke, K. (2001), *Mediation Dangerously: The frontiers of Conflict Resolution*, San Francisco, Jossey Bass Publishers.
[26]Cloke, K. (2001), *Mediation Dangerously: The frontiers of Conflict Resolution*, San Francisco, Jossey Bass Publishers.

or actions involved could be felt by one or both parties. Feelings, whether experienced only internally or actively expressed externally, are often drivers and influence the dynamics of the conflict.[27]

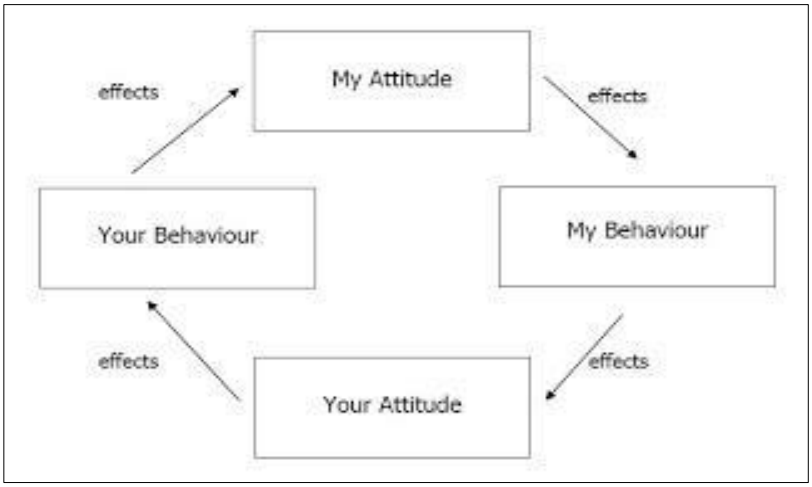


Figure 1. The Betari Box

The Betari Box[28] is a model that helps us understand the impact that our own attitudes and behaviors have on the attitudes and behaviors of the people around us.

PART II

10.Mediation

The Mediation process is a voluntary conflict resolution process where a mediator helps parties to negotiate and mutually accept agreements that resolve their issues. In 2004 Dr. Chris Moore[29] stated that mediation can also help disputants to restore, redefine or transform their attitudes and interactions toward one another, and move towards more peaceful relationships and reconciliation.

[27]Moore, C.W., (2014)., *The mediation process: Practical strategies for resolving conflict*. John Wiley & Sons.
[28]https://www.mindtools.com/ (Accessed August 07th, 2019)
[29]Moore, C.W., (2014). *The mediation process: Practical strategies for resolving conflict*. John Wiley & Sons.

Every mediator has their own creativity to punctuate the mediation process differently, but it is important for mediators to have a clear understanding of the process and be aware constantly of the step stages and to find helpful strategies for each step considering the wellbeing of the parties.

To Emery Robert E. (2006) [30] in his book, made an interesting point by saying that the initial process is the one where mediators establish an emotional connection. Then parties must buy into the mediation and choose to work out their conflicts and issues through this process rather than ignoring the issues or pursuing an adversarial solution.

11.The qualities of a Mediator

Various mediators describe effective mediation as a combination of trust, empathy, and rapport between participants as well as an open communication and boundaries, a commitment to problem-solving, awareness of both explicit and implicit issues, and an affirmative listening. The parties aim to find a mediator with qualities of empathy, feeling heard and understood, able to talk about perceptions and feelings, clarity, and perceived self-efficacy. Contrary to this some others such as lawyers, barristers and mediators focus on the resolution of the conflict in merely facts avoiding the emotions that the parties are confronting and dealing with.

Herrman & Hollett (2002)[31] emphasized that "mediators must create environments where dialogue, problem analysis, and problem-solving take place". The environment mentioned requires creating a supporting trust, empathy, and rapport between participants.

[30]Emery, R.E., (2006). *The truth about children and divorce: Dealing with the emotions so you and your children can thrive*. Penguin.
[31]Herrman, M., (2006) *The Blackwell Handbook of Mediation*, First Edition, Blackwell Publishing LTD

The first dimension of the mediation stage is strongly related to effective emotional communication in mediation: mediator empathy, feeling heard and understood, being able to talk about perceptions and feelings, and perceived self-efficacy. The Mediator's empathy and being heard and understood require an appreciation of the parties emotions. Without emotional communication there is a risk of failure in accomplishments. It is clear that to help the parties to talk about perceptions and feelings, the mediator should know how to help the disputants talk about feelings.[32]

Another dimension of the Mediation stage is related to emotion: global fairness, interactional fairness, and mediator neutrality and talking about issues and needs and formulating in problem-solving. The more disputants perceive the mediation process and outcome as fair, the less likely they are to perceive favouritism that creates negative emotions, which fuel dysfunctional behaviour.

Process that prime personal readiness
Mediator empathy
Feeling heard and understood
Able to talk about perceptions and feelings
Clarity
Perceived self-efficacy
Hostile environment
Procedural Factors: Mediation Conditions
Active participation

[32]Herrman M., (2006) *The Blackwell Handbook of Mediation*, First Edition, Blackwell Publishing LTD

Procedural clarity
Global fairness
Interactional fairness
Mediator neutrality
Mediator process control
Procedural Factors: Problem-solving
Active negotiation
Talking about issues and needs
Formulate options
Procedural Factors. Decision-making
Parties shape decisions
Mediator driven-closure

Table 1. The Mediation Process[33]

12.Emotions in a Mediation

Lazarus and Lazarus (1994, p.366)[34], offer five categories of emotions classified as: nasty emotions (anger, envy and jealousy), existential emotions (anxiety, guilt and shame), emotions provoked by unfavourable life conditions (relief, hope, sadness and depression), emotions provoked by favourable life conditions (happiness, pride and love) and empathetic emotions (gratitude and compassion).

[33]Table from the book The Blackwell Handbook of Mediation, First Edition, Blackwell Publishing LTD, p.33.
[34]Nair, N., (2008), Towards understanding the role of emotions in conflict: a review and future directions. *International Journal of Conflict Management*,*19*(4), pp.359-381.

An emotion is a conscious mental reaction such as anger or fear subjectively experienced as a strong feeling usually directed toward a specific object and typically accompanied by physiological and behavioural changes in the body (Merriam and Webster Dictionary)[35].

The mediator has to be capable to identify emotions revealed in parties in order to face them in an intelligent way without damaging the sensibility of the opponents. The mediator could also ask the parties about the emotions that they experience during the mediation to have a closer understanding and get better insights and positive results.

In a disagreement, the first and most common emotion is anger; it is an emotion that arises when someone has intentionally committed a demeaning offence against one person to another person. There is also the anxiety when the person faces an uncertain threat; we cannot make sense or understand the situation in that moment. A disgust that it is typically identified when we want to get away from someone or something that we find offensive.[36] Mediators need the ability to identify which emotions are presented during the mediation. It is to be expected that mediator lose control if the mediator cannot address the parties' emotions.

A positive emotion is unlikely to be expressed before the result in a mediation. But as a Mediator, getting a positive emotion from the parties is the main goal. Some of those positive emotions are compassion, happiness, hope, love, pride and relief. They would make the parties have the feeling of accomplishment.

[35] https://www.merriam-webster.com/dictionary/emotion (Accessed July 26th, 2019)

[36] Herrman, M., (2006) *The Blackwell Handbook of Mediation*, First Edition, Blackwell Publishing LTD

13.The Power of Emotions in Meditations

Margaret S. Herrman (2006)[37] makes in her book The Blackwell Handbook of Mediation an interesting point that mediators are usually trained to have a person describe or talk about an event, but are advised not to allow the person to maintain too much of a focus on the past. Most mediators are not trained to talk with disputants about their feelings, either as a means of uncovering them or as a means of altering them. While mediators are trained to *"listen for feelings"*, they usually do not learn how to enable the disputant to talk through feelings. Thus, mediators may acknowledge emotion, but do not appreciate it as a conflict management tool. A suggestion that mediators shall learn how to focus on feelings is critical to conflict management. This involves two steps: the use of elective questions to help identify the emotional experience of the disputant and the use of specific questions to help the disputant to examine a situation or activity again in order to make changes in the situation, thereby opening the possibilities for different resolution.

The following statement is the main focus of this study: how to develop in Mediators the ability to make emotions play a positive role in the room while the mediation is taking place.

The power to identify emotions allow mediators to pick up valuable signals about self and others[38].

- Make us to take action in a calm way.
- Occurs as a whole body experience.
- Transforms our interactions with others.

[37]Herrman M., (2006) *The Blackwell Handbook of Mediation*, First Edition, Blackwell Publishing LTD
[38]Coffey, D. and Murray, D. (2010) *Emotional Intelligence (EQ) A Leadership Imperative*! First Edition, Dublin, Ireland, Management Briefs.

- Indicates when we are overwhelmed or stressed.
- Increase creativity and innovation.
- Navigates our decision-making process.

It is essential to point out that emotions provide us with vital and potentially profitable information every minute of the day. On the other hand, negative emotions can also be valuable as they give us a signal that a change is required.

Der Foo et al. (2004, p.374)[39] state that the effect of EI on negotiation outcomes has received some attention. The authors claim that while there is not one perfect way to study emotions, the use of EI can capture a range of abilities such as perceiving emotion, facilitating thought with emotion, understanding and regulating emotion. Their study reported that individuals high in EI presented more positive experiences during the negotiation stage and that EI is a valuable factor for achieving integrative negotiation outcomes.

The circumstances and the scenario in a negotiation is not equal as in mediation but both are forms of ADR.

14.The Challenges in Managing Conflict

In the introduction of the book Managing Conflict: a practical guide to resolution in the workplace, David Liddle[40] mentioned in his introduction conflict, when addressed well, can result in the most powerful of outcomes – flow and insight. Flow and insight are the basis for human and business growth. Insight is

[39]Nair, N., (2008). Towards understanding the role of emotions in conflict: a review and future directions. *International Journal of Conflict Management*,*19*(4), pp.359-381.
[40]Liddle, D. (2017), Managing Conflict: a practical guide to resolution in the workplace, p.p 4-5, New York,First Edition,Kogan Page Limited.

the foundation for innovation, collaboration and competitive advantage; flow is about being ready to engage in adult-to-adult dialogue and being open to change.

To generate flow and insight, our organizations need to value EI as a core competence of leadership. Organizations need to enhance leaders' and managers' levels of self- awareness; their ability to develop empathy with others; their ability to predict emotionally charged situations and to manage them effectively; and to be emotionally intelligent. It is also vital to train managers and leaders with the tools they need to model a calm, engaged, collaborative and compassionate approach during times of change, conflict, crisis or controversy.

15.How to Develop EI

EI is a new model of learning. In order to improve your EI, you need to unlearn the counterproductive habits and relearn a new. The best way of doing this will take time, practice and motivation. It is fundamental that mediators understand the difference between the two kinds of learning: IQ and EI.

According to Ashkanasy et al. (2002, p.646)[41] EI develops throughout ones' life, it can be enhanced through training and that those who have come to master this intelligence can identify and perceive emotions for both themselves and others.

EI leads to stronger job performance across a wide range of professions, with stronger effects for professionals that are involved in human interactions and this is the case for mediators. There is a famous phrase that stated[42] "IQ gets you hired, but EI gets you promoted." There is evidence that high levels of EI increase the opportunity of being promoted up to the middle manager level. However, managers at

[41]Chrusciel, D., (2006), *Considerations of emotional intelligence (EI) in dealing with change decision management, p.644-657*

[42]Dess G., McNamara G, Eisner A (2016), *Strategic Management: Text and Cases*,18th edn, New York, McGraw-Hill,p.359

high levels of the corporate hierarchy tend to evidence lower levels of EI.

A high level of EI give people skills to manage relationships, influence people and forge alliances both inside and outside the company.

EI is a skill that we can learn to master. This type of learning is different from the traditional learning because you ask people to do something like improving self-confidence, or getting people to collaborate better, or motivating them to get results. It is a change in behaviour what EI is asking. These are complex abilities, and they are related with habits of thinking and feeling and reacting that have been built up over decades.[43]

EI refers to the ability to perceive, control and evaluate emotions. This table is adapted from the best-known author on the subject Daniel Goleman who mentioned some elements on which he suggested to work on in order to improve our EI.

[43]Jennifer J. Salopek (1998), *Training and Development, Interview with Daniel Goleman*, p.26

Emotional Intelligence Domains and Competencies

SELF-AWARENESS	SELF-MANAGEMENT	SOCIAL AWARENESS	RELATIONSHIP MANAGEMENT
Emotional self-awareness	Emotional self-control	Empathy	Influence
	Adaptability		Coach and mentor
	Achievement orientation	Organizational awareness	Conflict management
	Positive outlook		Teamwork
			Inspirational leadership

Table 2. The components of Emotional Intelligence

15.1Emotional Intelligence and Self-awareness

Self awareness is the ability to recognize and understand emotions and their effects on others. This requires the ability to pay attention to what is going on inside and around us and on how they interrelate. Just to illustrate, a study on university undergraduates found that low EI was associated with stress, expressed in emotional terms ranging from anger and frustration to hatred; and also more likely to engage in health damaging.[44] With self-awareness we might have a chance of getting to know ourselves better.

15.2Emotional Intelligence and Self-regulation

Daniel Goleman[45] describes self-regulation as an emotional regulation which is related to the ability to deal with and redirect emotional impulses. We have probably all had the feeling of experiencing anger

[44]Dr. McKenzie,S. and Dr. Hassed,C. (2012),*Mindfulness for Life, How to Use Mindfulness Meditation to Improve Your Life*,First Edition,Australia,Constable & Robinson Ltd.
[45]Daniel Goleman (1999), *Working with Emotional Intelligence*, New Edition, London, United Kingdom, Bloomsbury Publishing PLC.

that is destructive, or some other unhelpful impulse and then realizing that expressing it in a way that we feel driven to may not be such a good idea. Being able to recognize it and either let it go through time or express something that needs to be said but in a more constructive way, is very much a part of self-regulation.

15.3Emotional Intelligence and Motivation

According to Sosik and Megerian (1999, p.26)[46] EI has an influence on self motivation. They stated that EI individuals who are self-motivated feel more secure in their ability to control and influence life events. They claimed that leaders with a great deal of personal efficacy, are more motivated to face situations with confidence. In addition, they stated that personal efficacy is necessary for team leaders to attract and motivate followers.

15.4Emotional Intelligence and Empathy

According to Keen S. (2007, p.119)[47]empathy means to recognize others' feelings, the causes of these feelings, and to be able to participate in the emotional experience of an individual without becoming part of it.

Increase in empathy is associated with improvements in emotional wellbeing. Empathy and compassion strongly rely on relationship and attention. If we do not pay attention, then we will not feel compassion.

15.5Emotional Intelligence and Social skills

The last of the elements of EI is social skills. Leaders with stronger EI are better at communicating, being

[46]Salovey, P. and Mayer, J.D., (1990), Emotional intelligence. *Imagination, cognition and personality*,*9*(3), pp.185-211.
[47]Ioannidou, F. and Konstantikaki, V., (2008), Empathy and emotional intelligence: What is it really about, *International Journal of caring sciences,1*(3), p.118.

responsive to their team members needs, bringing people together and resolving conflicts amicably. A greater awareness help us to be more responsive to those around us and to recognize the impact of our words and actions on others.[48]

15.5.1Parts of Mental Ability[49]

EI consists of four branches of mental ability:

1.Emotional identification, perception and expression;

2.Emotional facilitation of thought;

3.Emotional understanding; and

4.Emotional management.

Our emotions are mainly consequences of a part of our brain called the reptilian brain because it has similar functions to reptiles. These responses are mostly automatic; we have evolved in such a way that an emotional explosion takes place and provides a quick answer to life's critical situations.

In humans, this reptilian brain is wired up with the neocortex, which can therefore exert some control towards these automatic responses.

The amount of control has a genetic component; yet, it is possible to learn to control emotions to a certain degree. Most people do learn this at some point of their lives. Further, it is possible to learn it further achieving greater abilities to manage emotions.

[48]Dr. McKenzie, S. and Dr. Hassed, C. (2012), *Mindfulness for Life, How to Use Mindfulness Meditation to Improve Your Life*, First Edition,Australia,Constable & Robinson Ltd.

[49]Pr. Bénédicte Gendron (2004), *Why Emotional Capital Matters in Education and in Labour? Toward on Optimal Use of Human Capital and Knowledge Management.*

Emotional intelligence is the mental ability to sense, understand, and effectively apply the power and cleverness of emotions as a source of energy, information, creativity, trust and connection.

15.6 Emotionally Intelligence Communication

Non-verbal communication is the language of EI that keeps our relationships strong and healthy. While every relationship is unique, it has become apparent that there are different parts of the communication process that builds EI and helps inspire and sustain relationships.[50]

- The most powerful forms of communication contain no words and take place at a much faster rate than speech.
- One person's stress can block the communication process until both people again feel safe and can focus on one another.
- The adhesive that holds the communication process together is an emotional exchange triggered by emotions such as anger, sadness, fear and joy.
- The ability to be playful translates into staying power. Mutual fun and joy enables relationships to thrive in the face of stressful and challenging situations.

The mediator Barbara Madonik (2001)[51] recommends some useful non-verbal mediation aids. They include planning ahead, maximising pre-mediation telephone contact with the parties, having the right equipment at hand, considering biases and filters, assessing the parties and their preferred systems and operating codes, rapport building and managing the environment as many mediators practice, for example using music and food.

[50]Segal, J. Ph.D./Jaffe, J. Ph.D(2008), *The Language of Emotional Intelligence*, First Edition,Mc Graw Hill.
[51]Madonik, B. *I hear What You Say but, What are you telling me? The Strategic Use of Non-Verbal Communication in Mediation*. San Francisco. Jossey-Bass.

Non-verbal emotionally intelligent communication is, more often than not, responsible for success or failure in conflict resolution. When one person gives the impression of being angry or defensiveness in the other person. A clenched jaw, distressed lines around the eyes, or raised shoulders can and most likely will invite fear and opposition. In intense emotional situations, it is not the words that have the most power to sway, but non-verbal communication. By reducing stress and being able to focus on reading the cues you are giving others, or they are giving you, conflicts can be resolved more quickly and easily.

16.The role of interpersonal skills

In his study Bisquerra (2003)[52] describes interpersonal skills as the reciprocal interaction between two or more people that an individual sustains with colleagues, subordinates or superiors. In this sense, interpersonal skills refers to positive relationships between the staff of an organization, without taking into consideration the hierarchy, function and authority.

Until the late 1980s, business school curricula emphasized the technical aspects of management, specifically focusing on economics, accounting, finance and quantitative techniques. The courses working in human behaviour and people skills received minimal attention relative to the technical aspects of management. Over the past three decades, however, business faculties have come to realize the importance that an understanding of human behaviour plays in a manager's effectiveness, and required courses on people skills have been added to many curricula. Bisquerra[53], as the director of leadership at Sloan School of Management once put it, 'M.B.A. students may get by on their technical and quantitative

[52]Robbins, S., Judge, T., Campbell, T. (2017), *Organizational Behaviour*, Pages 4,5 and 415, Second Edition, United Kingdom, Pearson Education LTD
[53] Ibid 52.,38

skills the first couple of years out of school. But soon, leadership and communication skills come to the fore in distinguishing the managers whose careers really take off.'

Similarly, a UK graduate employer survey[54] revealed that candidates are normally academically proficient, but lacking in what we called 'soft skills' such as team working, communicating effectively, leadership and cultural awareness. The employers claimed that developing these interpersonal skills is essential for managerial effectiveness, and the recognition of the importance of developing managers' interpersonal skills is closely tied to the need for organizations to get and keep high-performing employees. Regardless of labour market conditions, outstanding employees are always in short supply and the competition for talented employees is forecast to get even more fierce in most of Europe up to 2020 and beyond. Companies with reputations as good places to work such as, Microsoft, Cisco, Capital One, Torfs, and Quintiles have a big advantage. A recent survey of hundreds of workplaces, and more than 200,000 respondents, showed the social relationships among co-workers and supervisors were strongly related to overall job satisfaction. Positive social relationships also were associated with lower stress at work and lower intentions to quit. Having managers with good interpersonal skills is likely to make the workplace more pleasant, and research indicates that employees who know how to relate to their managers well with supportive dialogue and proactivity will find their ideas are endorsed more often, further improving workplace satisfaction. By creating a pleasant workplace also appears to make good economic sense. Companies with reputations as good places to work have been found to generate superior financial performance. We have come to understand that in today's competitive and demanding workplace, managers cannot succeed on their technical skills alone. They also have to have good people skills.

[54] Robbins, S., Judge, T., Campbell, T. (2017), *Organizational Behaviour*, Pages 4,5 and 415, Second Edition, United Kingdom, Pearson Education LTD

CHAPTER III RESEARCH METHODOLOGY

17.Methodology

The main purpose of this chapter is to describe the methodology applied to support this dissertation. This research will investigate the importance of developing EI in Mediators. The methodology is a fundamental part of this study because it will offer procedures to get results regarding the problem raised in this study.

The methodology chapter defines information about the participants, the criteria for their inclusion in this research and how they were sampled. The instrument applied for data collection is explained, with the procedures followed to carry out this study.

The methodology applied for this dissertation will allow us to give us the necessary support to interpret the material investigated with the findings in the research.

17.1Research Methods

The problem raised in this study is whether or not EI is fundamental for mediators and how it benefits them when training in EI is considering during their Mediation studies. Additionally, information given from mediators are examined to determine their view on this subject.

There are two ways to classify a research strategy: quantitative and qualitative. In this study a quantitative research is applied. The small distinction between them is that in quantitative researchers employ measurement, and qualitative research do not.[55] In this way, 'quantitative' is often used as a synonym for any data collection technique, for example in the form of a questionnaire or data analysis procedure such

[55]Bryman, A.& Bell, E (2011) *Business Research Methods* 3rd edn, Oxford, UK.

as graphs or statistics that generates or uses numerical data. Quantitative research is generally associated with positivism.

The survey circulated will give figures to determine how important is EI for mediators in the mediation process, which is a voluntary form of dispute resolution which consists as a mediator to help the parties to reach an agreement.

17.2. Research Philosophy

This study is based on Positivism Worldwide Philosophy which it is generally associated with quantitative research. The term research philosophy refers to a system of beliefs and assumptions about the development of knowledge.

According to the father of this philosophy Auguste Comte (1798-1857)[56]: "Positivism is a theory of knowledge according to which the only kind of sound knowledge available to human kind is that of science grounded in observation.

Having stated that, the downside with this doctrine is that they can only predict the average behaviour, not the behaviour of individuals; this philosophy will not determine the EI levels in Mediators. In many theories, it is important to understand particularities as well as understanding the norm. Another issue is that many choices and assumptions have been made when developing such models, and those choices open the door for researchers' values and preferences to enter into the research process. An extreme positivist posture should not be adopted by the research.

[56]Comte, A., (1975), *Auguste Comte and positivism: The essential writings*. Transaction Publishers

It may be impossible to study the intangible aspects of emotions during the Mediation process but one of the purposes of positivism philosophy is to produce general laws that can be used to predict behaviour, in terms of probability at least, if not with absolute certainty. These general laws would form an open and rigid body of knowledge, and the positivist method would be the standard approach for all scientific efforts.

17.3. Research Approach

The research in "The importance of developing Emotional Intelligence in Mediators" will be a deductive approach rather than an inductive approach due to the fact that in a deductive research the approach comes from a hypothesis that it is developed from an existing theory.

The theory proposes that the development of EI in Mediators is a successful skill a theory that has been already researched in other areas and has been applied and also proved to be effective in workplaces. This theory is based on the idea that developing EI could generate better results in mediations. The study will be tested by a group of Mediators in Ireland and the result would effectively give us answers if the theory that developing EI could benefit mediators if they have been trained in EI before practising is a falsification or not.

The principal objective in a deductive approach is to research theories working with existing past theories.

(Medawar 1964 p.52)[57] defines this hypothetical–deductive method as 'imaginative and inspirational in character'; they are 'adventures of the mind'. He was arguing in favour of the position taken by Karl Pop this expectation is a hypothesis. Hypotheses provide the initiative and incentive for the inquiry and influence the method. It is in the light of an expectation that some observations are held to be relevant and some irrelevant, that one methodology is chosen, and others discarded, that some experiments are conducted and others are not.

17.4. Research Design

A web survey had been created through Google drive questionnaires.[58] Data were obtained through surveys using the questionnaire and collected from 700 members registered in The Mediators' Institute of Ireland (MII) as a qualified mediators from all the counties in Ireland. The MII was found to be a reliable institution for this study because it is an institution with more than 27 years experience and it follows a Code of Ethics and Practice which allow mediators to mediate only if they have the appropriate training, knowledge and competence to effectively mediate.[59]

This web survey will be circulated via email in this institution of 700 members by the help of Alison Martin, the Office Manager of the MII.

17.5. Population Selection

The population selected for this study is based on the 700 mediators' members of The MII between 18 and 74 years old. The population is focused on male and female mediators. The institution is based in Dublin, Ireland.

[57]Fisher C. with Buglear J. (2010), *Researching and Writing a Dissertation* ,3rd edn, Pearson Education Limited.
[58]Questionnaire available at https://forms.gle/z2g89uW5RNd98BSs5
[59]http://www.themii.ie/ (Accessed 15 July 2019)

The researcher has communicated the respondents that the information collected for this research will be kept confidential, and this study will not offer any disclosure risk to the members involved.

17.6.Sample Size

The ideal size will be calculated with a level of confidence of 90% or 1.65, 0.5 standard deviation and a margin of error of 10%, The researcher Qualtrics provides a sample size calculator online that help us to know the ideal survey sample size[60].The result for a perfect sample size of the respondents is 68. mediators.

17.6.1.Qualtrics Sample Size = (Z-score)² * StdDev*(1-StdDev) / (margin of error)²

((1.65) ² x .5(.5)) / (0.1)²

(2.7225 x .25) / 0.01

68.0625

68 participants request.

17.7. Data Sources

This dissertation will be structured on primary and secondary sources. First an investigation known as literature review will be present and a questionnaire will be conducted to support the hypothesis.

17.7.1. Secondary Data Source

A literature review will outline theories and arguments related on how important EI is in Mediation.

[60] https://www.qualtrics.com/blog/calculating-sample-size/(Accessed 19th July ,2019)

17.7.2Primary Data Source

A questionnaire-based survey that is largely precoded, completed by a sample taken from a particular population, and to be analysed quantitatively, will be used to illustrate the use of precoded and structured techniques. The issues will be dealt with by going through the stages from deciding on the sample size to analysing the results of the questionnaire.[61]

The survey "Emotional Intelligence in Mediators "will circulate within all the 700 members to obtain the primary data. The survey will be further used to test the verification correctly of the hypothesis raised at the starting point of this investigation.

17.8. Measuring Instrumentation

A survey was created with Yes/No answers known as dichotomous questions. The questionnaire compiled nine closed-ended questions and one open-ended question to reflect mediator's personal opinion or personal situations. The questionnaire started circulating on July 16th, 2019 (See Annex 1).

A questionnaire is an easy form of codification but sometimes the information is limited. Another benefit from this type of survey is that give us a statistically significant result. Furthermore, the information gained by closed-ended questions allows researchers to categorize respondents into groups based on the options they have selected[62].

The first three questions are demographic questions. The term demographics refers to particular characteristics of a population. The word is derived from the Greek words for people (demos) and picture (graphy). Some examples of demographic characteristics include age, race, gender, ethnicity, religion,

[61]Fisher C. with Buglear J. (2010), *Researching and Writing a Dissertation* ,3rdedn,Pearson Education Limited.
[62]https://www.surveymonkey.com(Accessed 10th July 2019)

income, education, home ownership, sexual orientation, marital status, family size, health and disability status, and psychiatric diagnosis. The first three questions included in this survey are about age and gender. Demographic information provides data regarding research participants and it is necessary for the determination of whether the individuals in a particular study are a representative sample of the target population for generalization purposes.

Usually demographics or research participant characteristics are reported in the methods section of the research report and serve as independent variables in the research design. Demographic variables are independent variables by definition because they cannot be manipulated.[63]

The fourth question has been asked at the beginning in this format because our survey is applied to qualified mediators of the MII. This suggests that the following questions have to be answered only by our desired target.

The following questions had been asked to confirm the hypothesis of the study that Mediators with a training in EI during the mediation certification are more prepared to manage emotions that arise during the mediation and allow them to develop the empathy to understand every parties' side and make the parties process the experience in a positive way during the Mediation.

The two penultimate questions will also offer some background to make recommendations to institutions, colleges or universities that urge them to consider EI training during the course or Dispute Resolution career as a potential opportunity of improving for students.

[63]Salkind N.J. (2010), *Encyclopedia of Research Design, Sage* Publications Inc.

The last question is an open question that lead us to get personal opinions about their thoughts and feelings regarding emotions that they had experienced during a Mediation.

17.9Analysis of data

An analysis will be conducted for this study when all the information has been processed. Taking into consideration that this is a quantitative analysis, it is important to make use of descriptive statistics, since it seeks to describe data and then perform statistical analysis thereafter.

CHAPTER IV PRESENTATION OF THE DATA

19.Questionnarie Sample Size 68

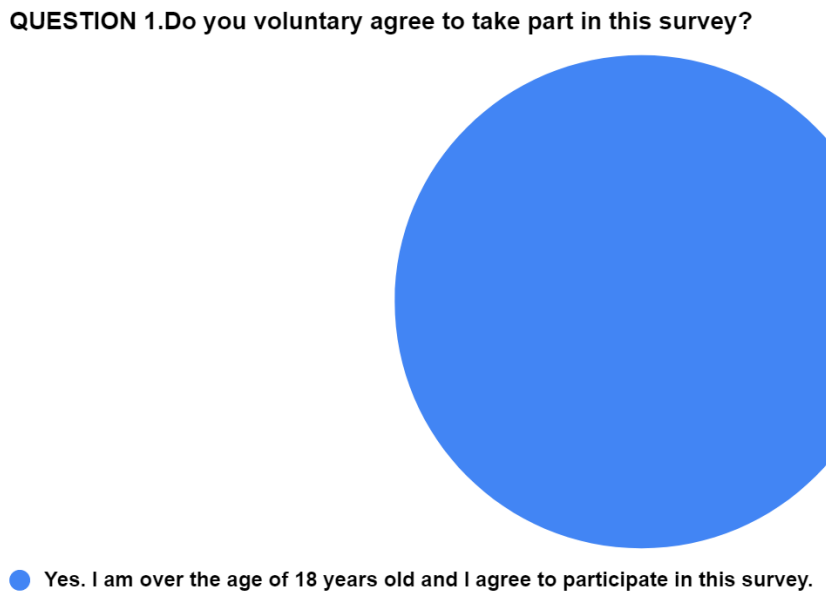


Figure 2. Question 1

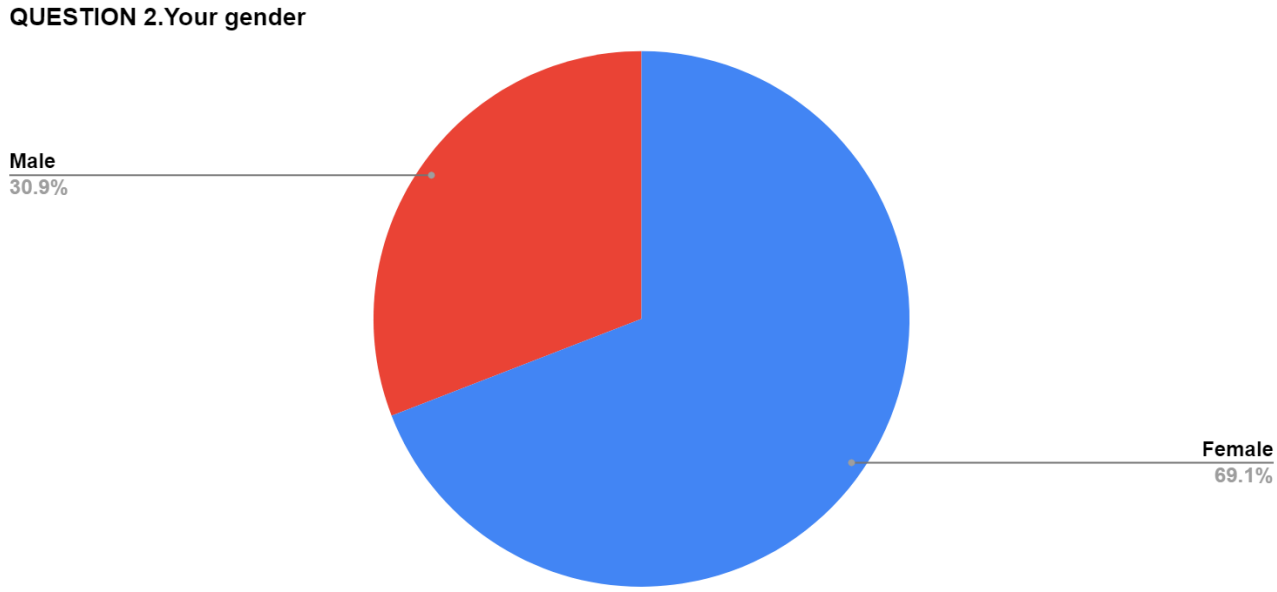


Figure 3. Question 2

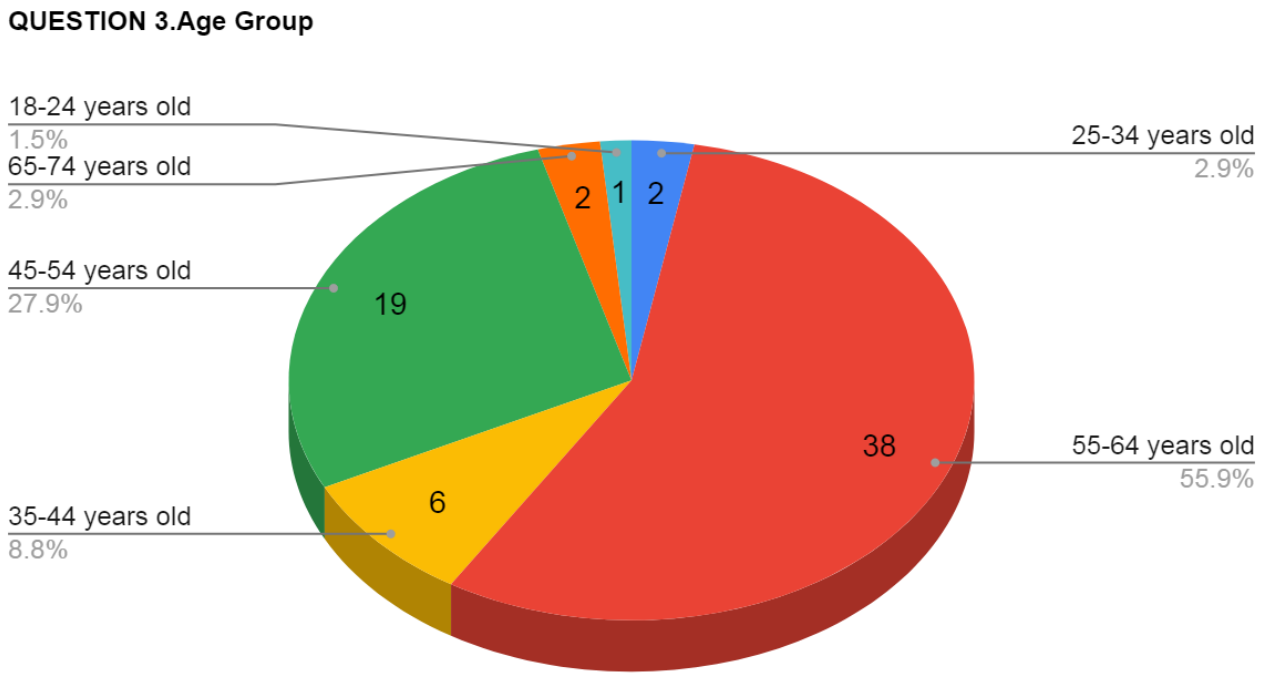


Figure 4. Question 3

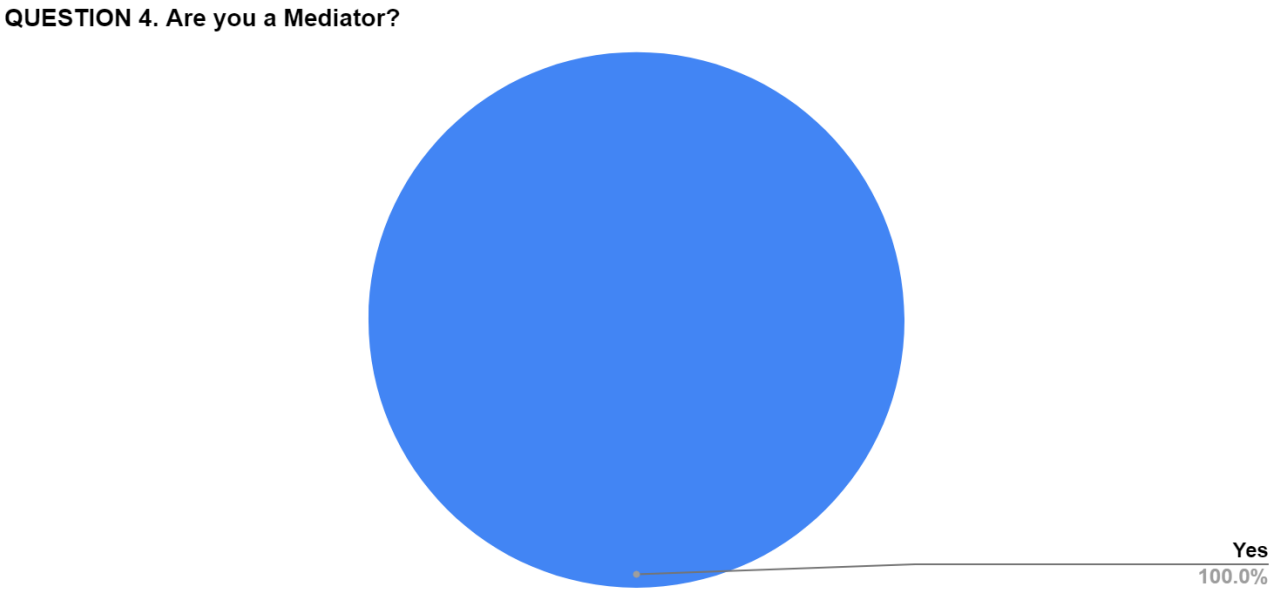


Figure 5. Question 4

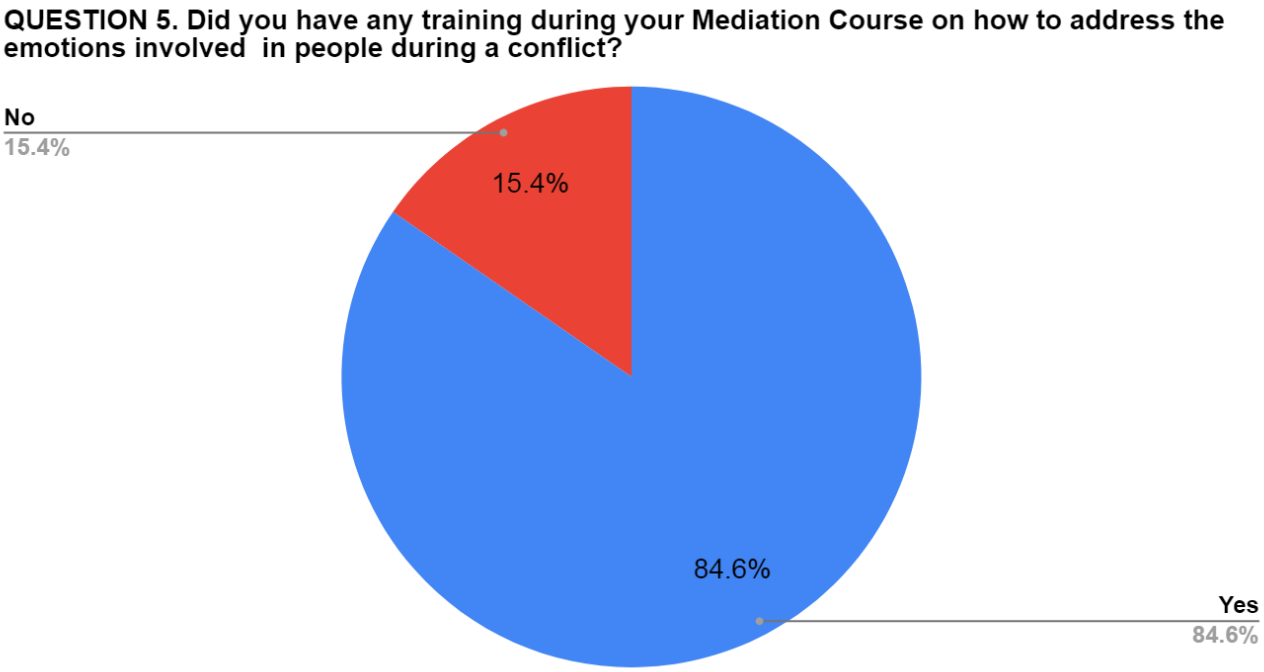


Figure 6. Question 5

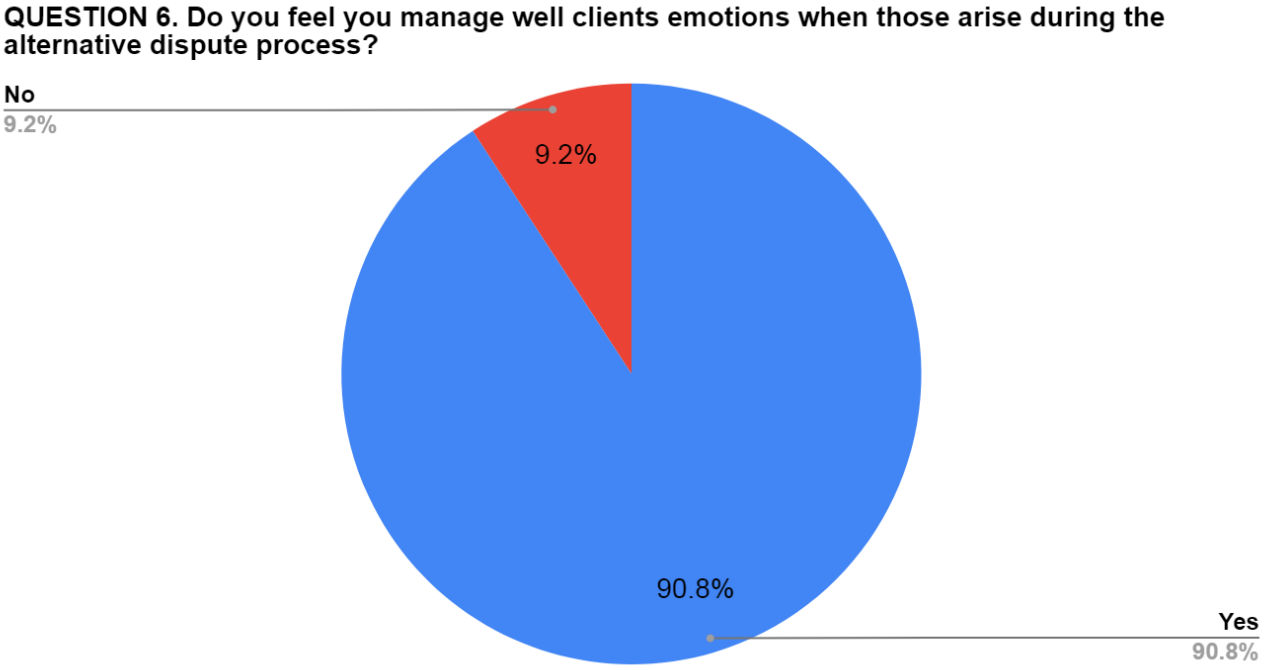


Figure 7. Question 6

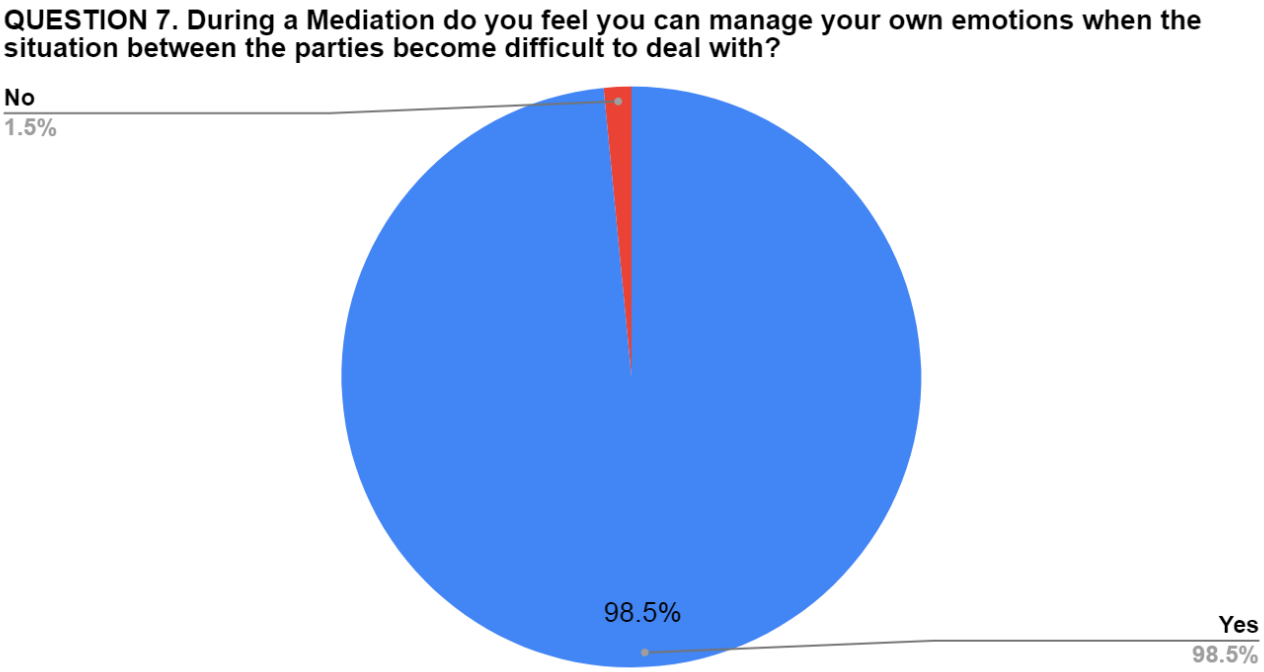


Figure 8. Question 7

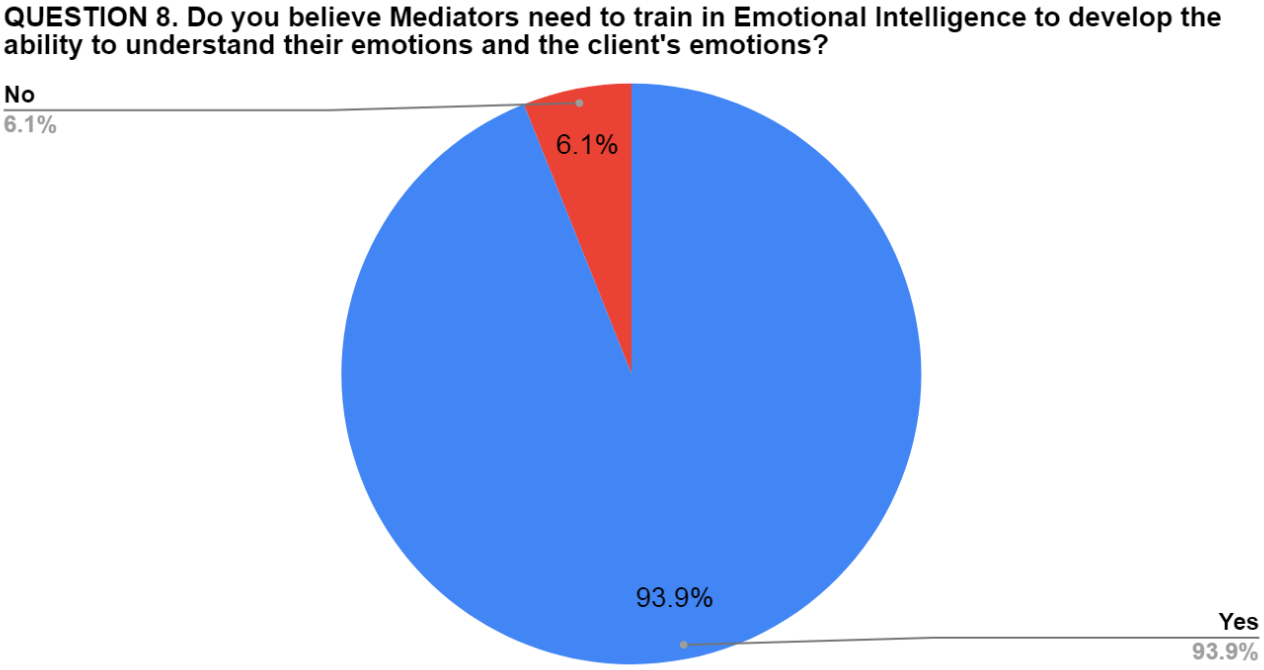


Figure 9. Question 8

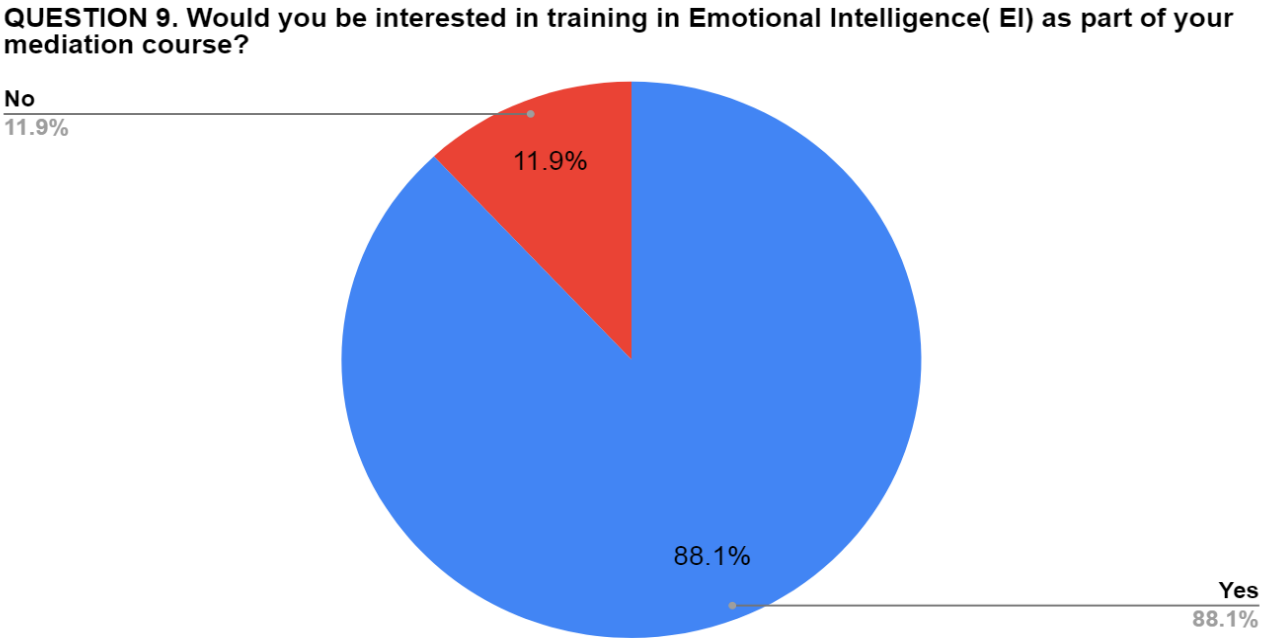


Figure 10. Question 9

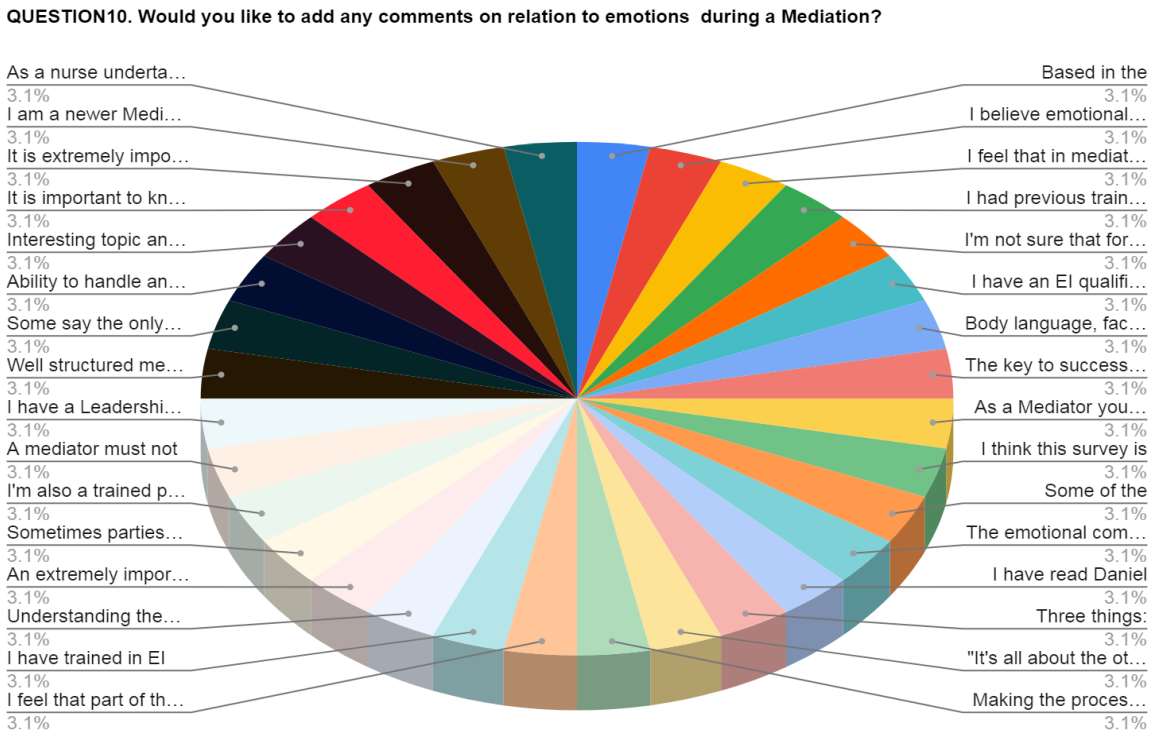


Figure 11. Question 10

CHAPTER V DATA ANALYSIS/FINDINGS

In this section, the data from the survey will be analyzed. The survey, as indicated above, seeks to demonstrate how important it is to develop EI in mediators.

The survey started circulating on July 16th 2019 within the members registered of The MII and it had showed up 68 responses and feedback with 32 comments on the last question (number 10) where the participants have been told to add any comments in relation to emotions during a Mediation.

The purpose of this survey was to further investigate the mediator's perspective about EI in Mediation, how they see emotions during the conflict and the way mediators see EI as a subject in mediation training.

19.Figures Survey 1

a. Figure 12. The population of the survey is 700 mediators, the questionnaire showed that 68 responses are from mediators over 18 years old.

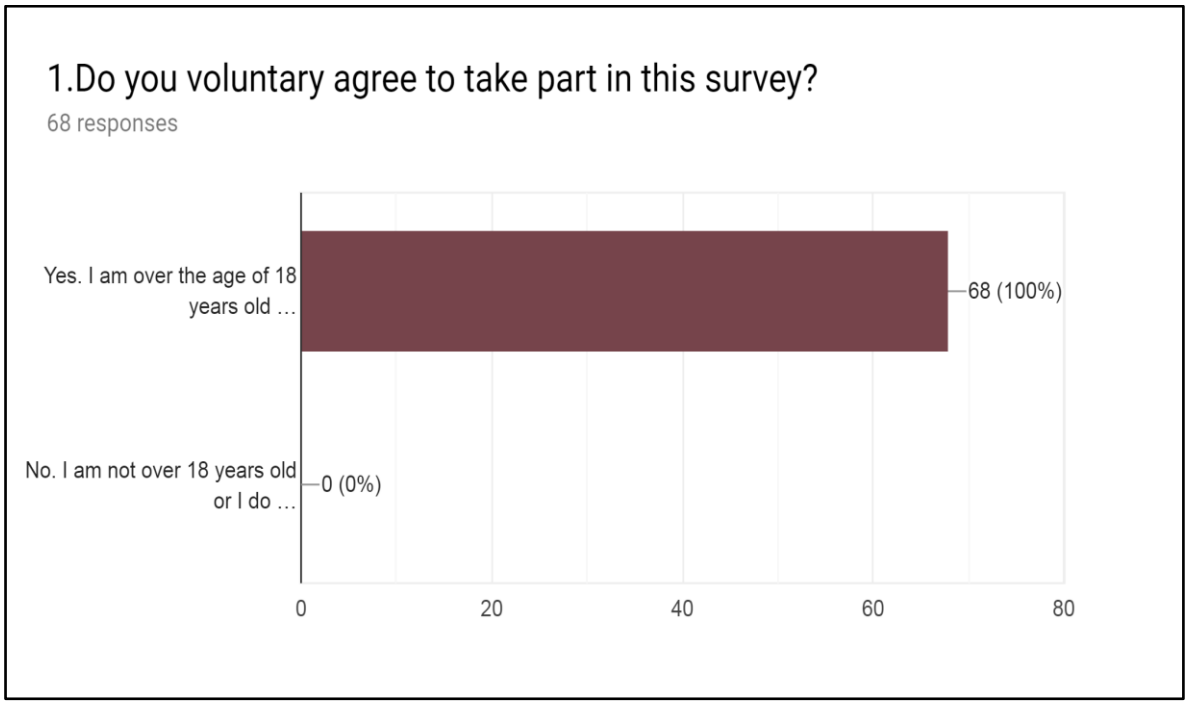


Figure 12. Of the population 68/100 are over 18 years old.

b. Figure 13. The aim is to identify the number of participants of male and female gender in the sampling. The separation by gender contributes to analyse the perception of EI in mediators by gender.

Baron-Cohen et al. (2005, p.401)[64] suggested that psychological gender differences can be described by the relationship between the degree of empathizing which he defined as the tendency to infer mental and emotional states of others and respond with appropriate emotional feelings and behaviour and systematizing abilities defined as the tendency to analyse the rules of a system and predict its behaviour. He mentioned that the "typical female" brain is characterized by a superiority of empathizing over systematizing capabilities while the "typical male" brain is supposed to show the reverse pattern.

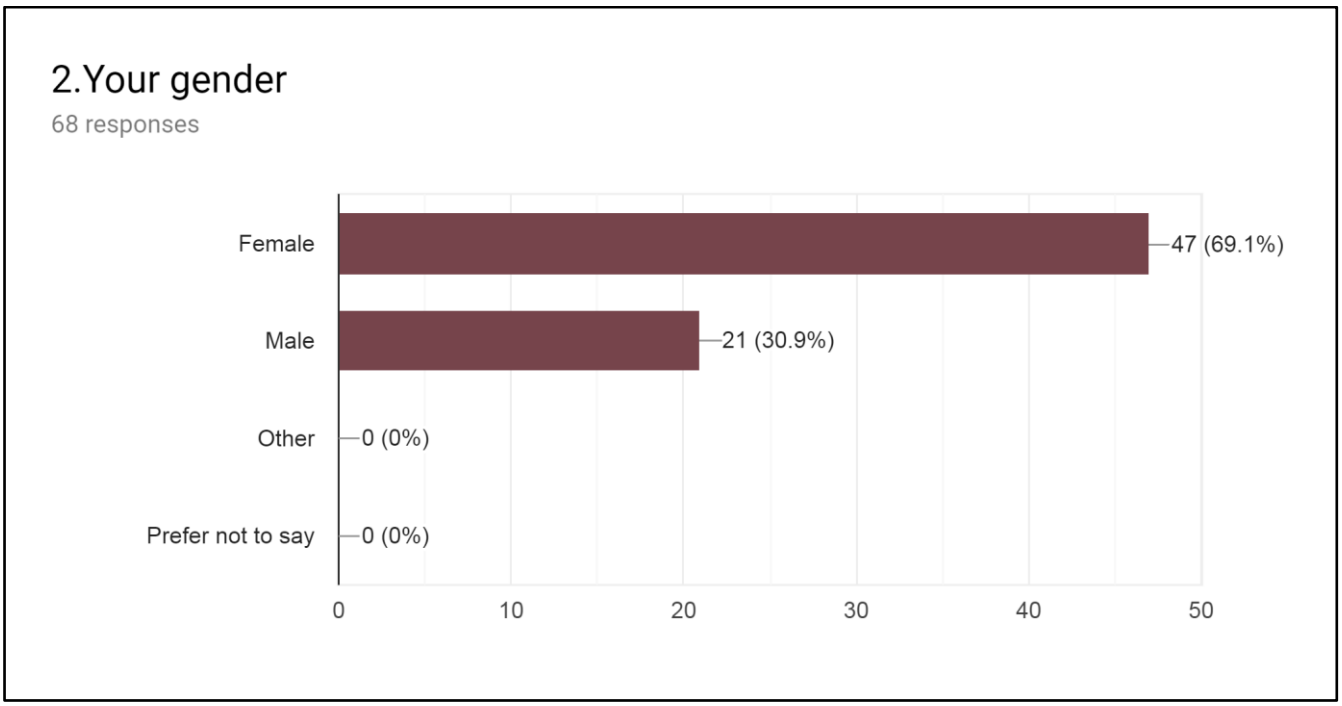


Figure 13. Gender Identity

c. Figure 14. It can be noticed in Figure 14 the Mediator by Age, where only 1.5% of the population surveyed are between 18-24 years old, 2.9% are 25-34 years old, 10.3% between 35-44 years old, 27.9%

[64]Schulte-Rüther, M., Markowitsch, H.J., Shah, N.J., Fink, G.R. and Piefke, M., (2008),*Gender differences in brain networks supporting empathy. Neuroimage,42(1),* pp.393-403

are 55 to 64 years old, 2.9% 65-74 years old while the majority 55-0% are between 55 and 64 years old. The age would affect considerable the results due to the fact that it is expected that a 55-64 mediator have achieved more studies and also more experience in the field.

According to the Roman Cicero (p.3)[65] in old age it is finally possible for the individual to focus on further development and enjoyment of the mind. He believed that the power of the human mind in old age is optimistic and designed to control thoughts, feelings and aspirations.

It is important to mention that a mediator aged between 55-64 years has also been facing more mediation scenarios.

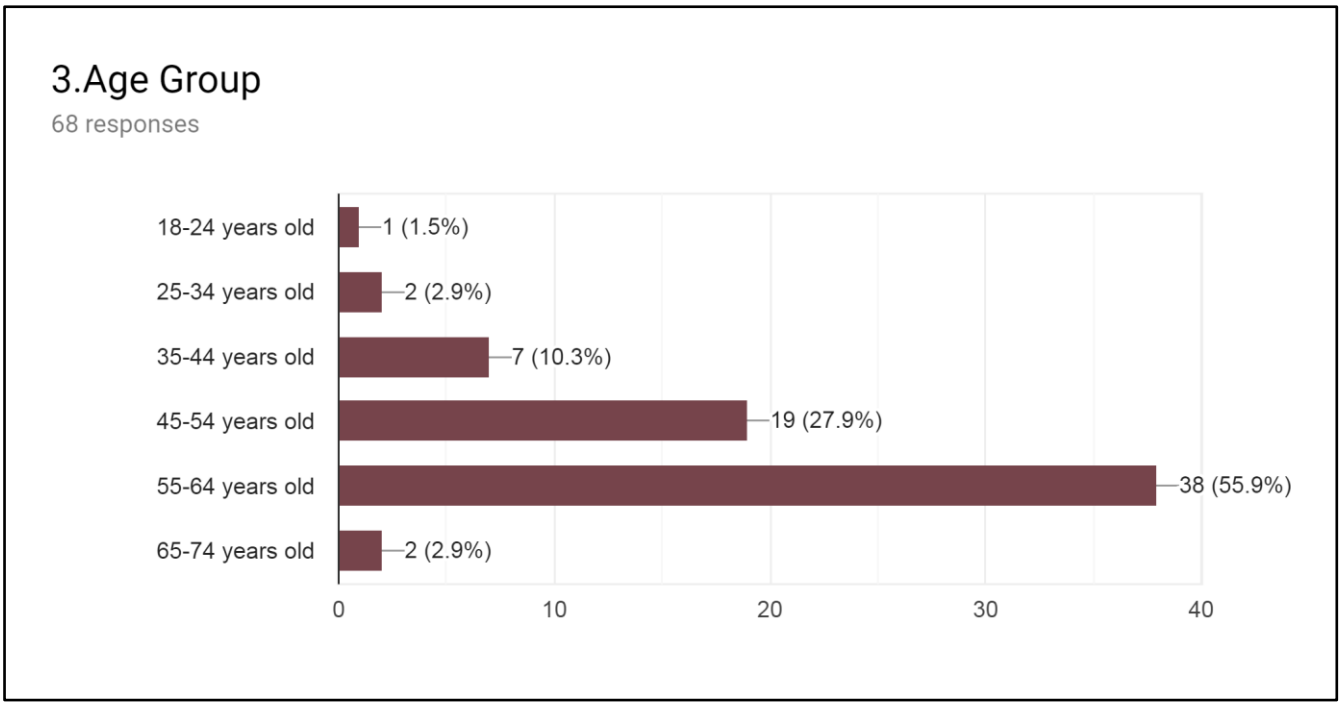


Figure 14. Participants age ranged.

[65]Baltes, P.B. and Baltes, M.M., (1990), Psychological perspectives on successful ageing: The model of selective optimization with compensation. Successful *ageing: Perspectives from the behavioural sciences*,*1*(1), pp.1-34.

d. Figure 15. The population of this survey is 68 mediators of The MII.

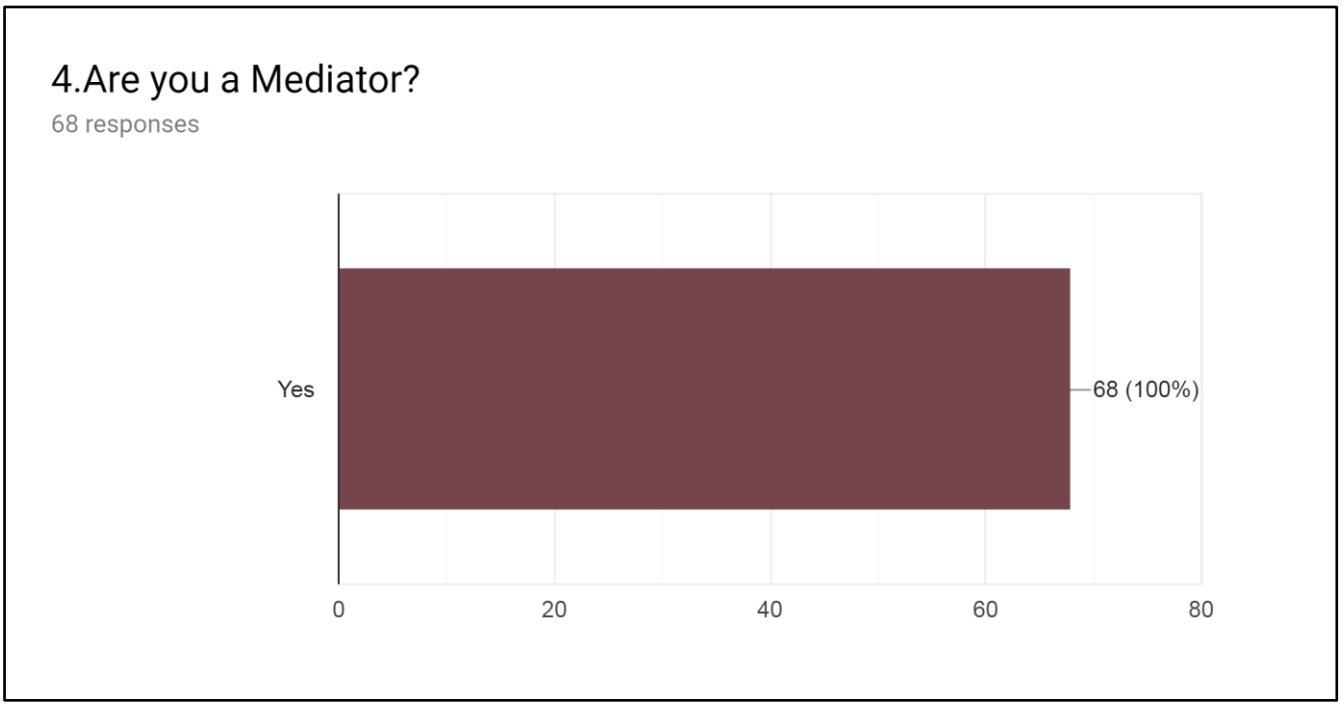


Figure 15. Profession

It is important to note that Mediators registered in The MII have passed previously through training and certification.

e. Figure 16. This figure shows that 84.6% of the population did training on how to address the emotions during a conflict in mediations. Only 15.4% did not have any course on learning how to manage emotions involved in people during a conflict. This data collected is extremely important because it reaffirms the hypothesis that EI is a valuable subject that gives mediators the ability to understand, control and evaluate emotions.

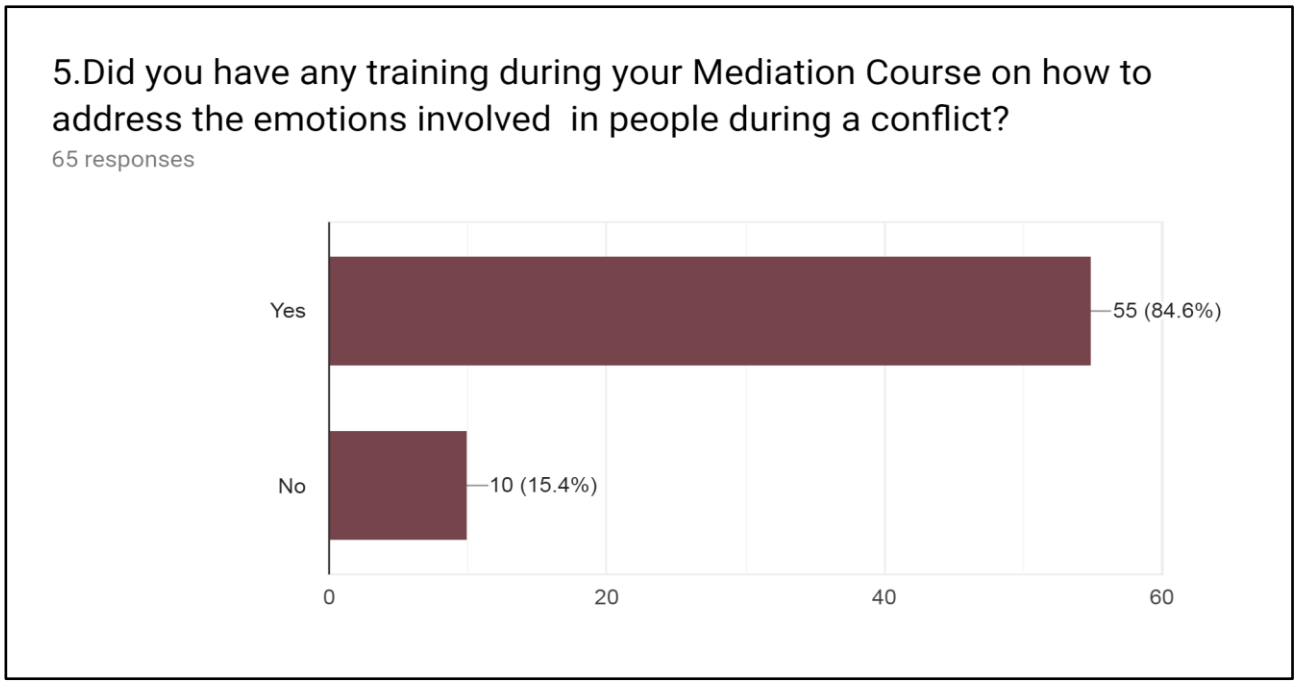


Figure 16. Training in EI

f. Figure 17. 90.8% of mediators believe they manage clients' emotions well during the mediation process.

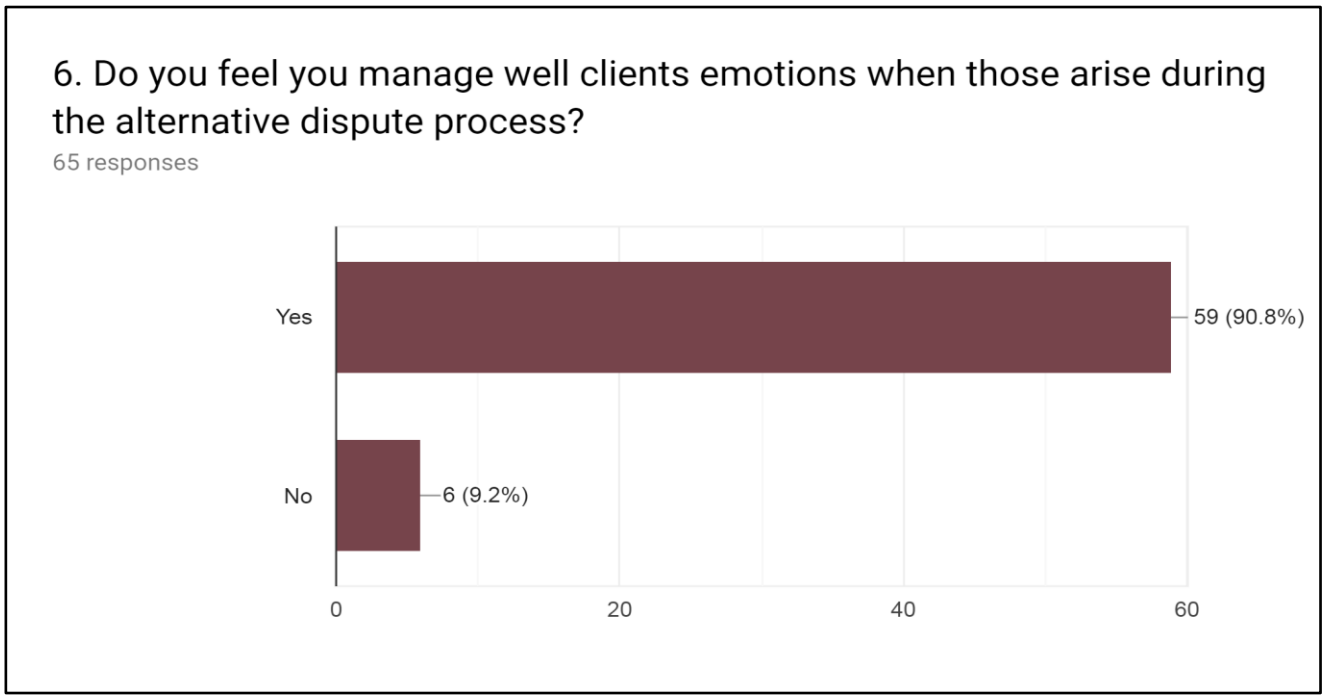


Figure 17 Controlling clients' emotions

Taking into consideration that 84.6% took EI training during their mediation course, proves one of the aims of this study. The survey shows that six out of 10 mediators that did not train on EI during their mediation course do not feel able to manage emotions during a mediation process. On the other hand, four mediators that did not have an EI training have the ability to address properly clients' emotions when those arise during the ADR process. From the results there, three of the mediators did not answer this question.

g. Figure 18. It should be noted that 65 mediators answered this question. 98.5% of the population answered that they can manage their own emotions when the situation between the parties becomes difficult to deal with. While one mediator did not feel able to handle their own emotions during a conflict. In this sense, it is important to point out that these numbers highlighted another point of this dissertation, in terms of how important is to develop EI in mediators.

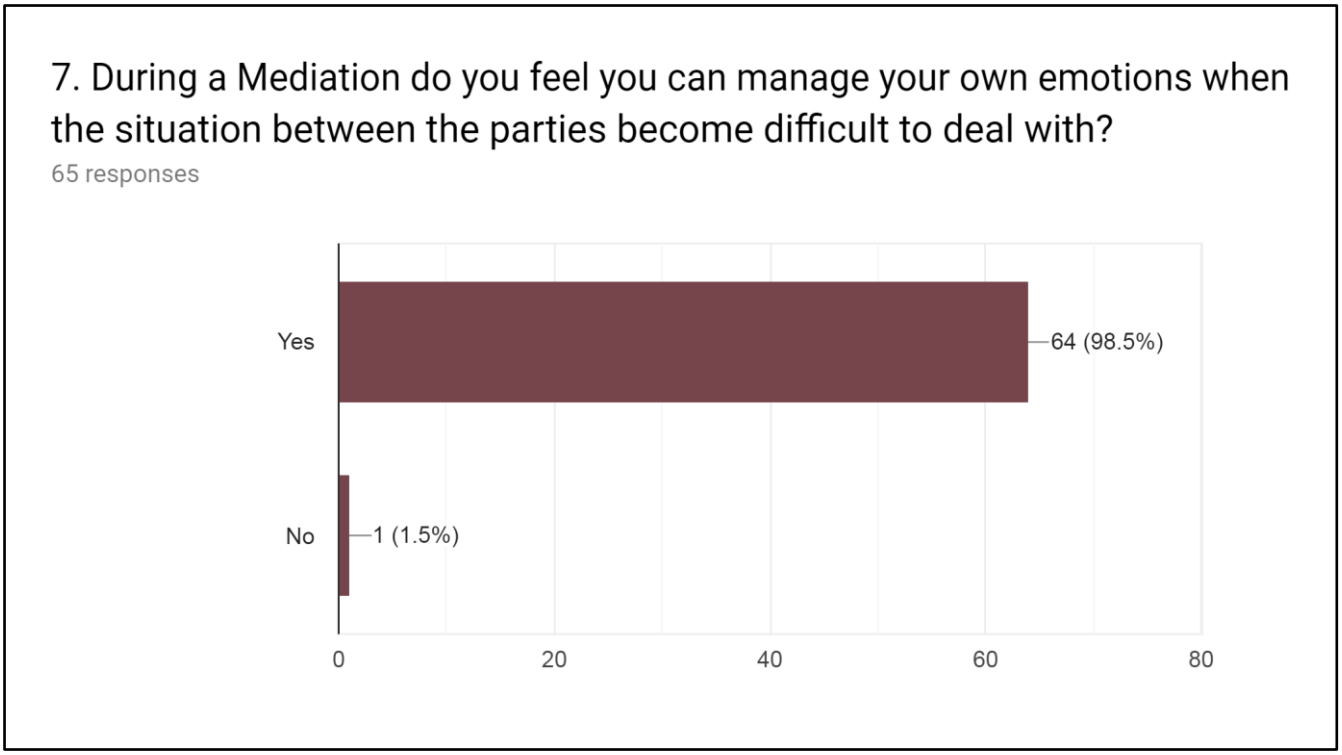


Figure 18. Controlling Mediator' emotions

h. Figure 19. Regarding training in EI, this figure reflects another necessary question in the study: could EI be considered or not as a part of the mediation courses? In the results of this figure, it can be demonstrated one of the most important premises of this dissertation which it is mentioned before: EI training in Mediators is fundamental for conflict resolution such as mediation processes. Training is essential for reaching the results expected for both parties and mediators.

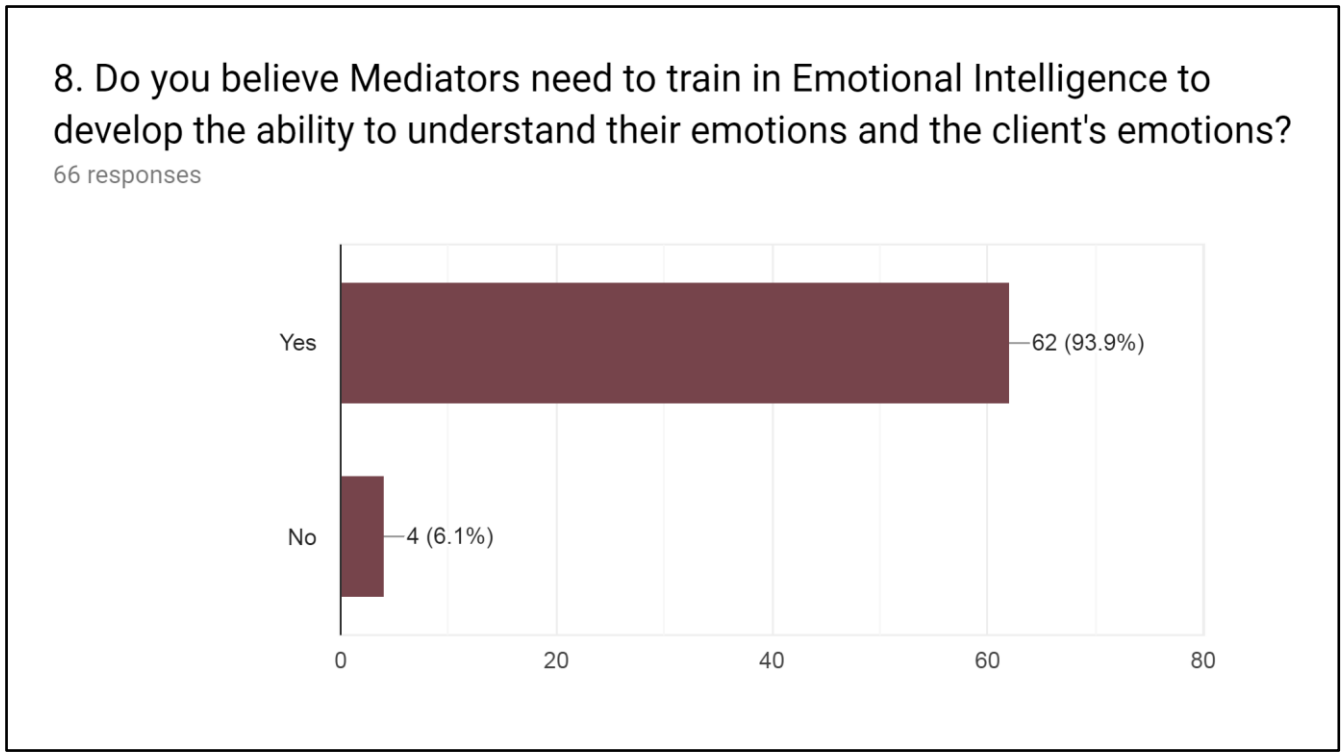


Figure 19. EI training

i. Figure 20. In this figure we can certainly see the impact of EI in mediators, with the figures showing that only 11.9% of the population believe that EI training is not important for them during the mediation course. This figure gives us an idea of how important it is for 88.1% of the population to train in EI during the mediator course.

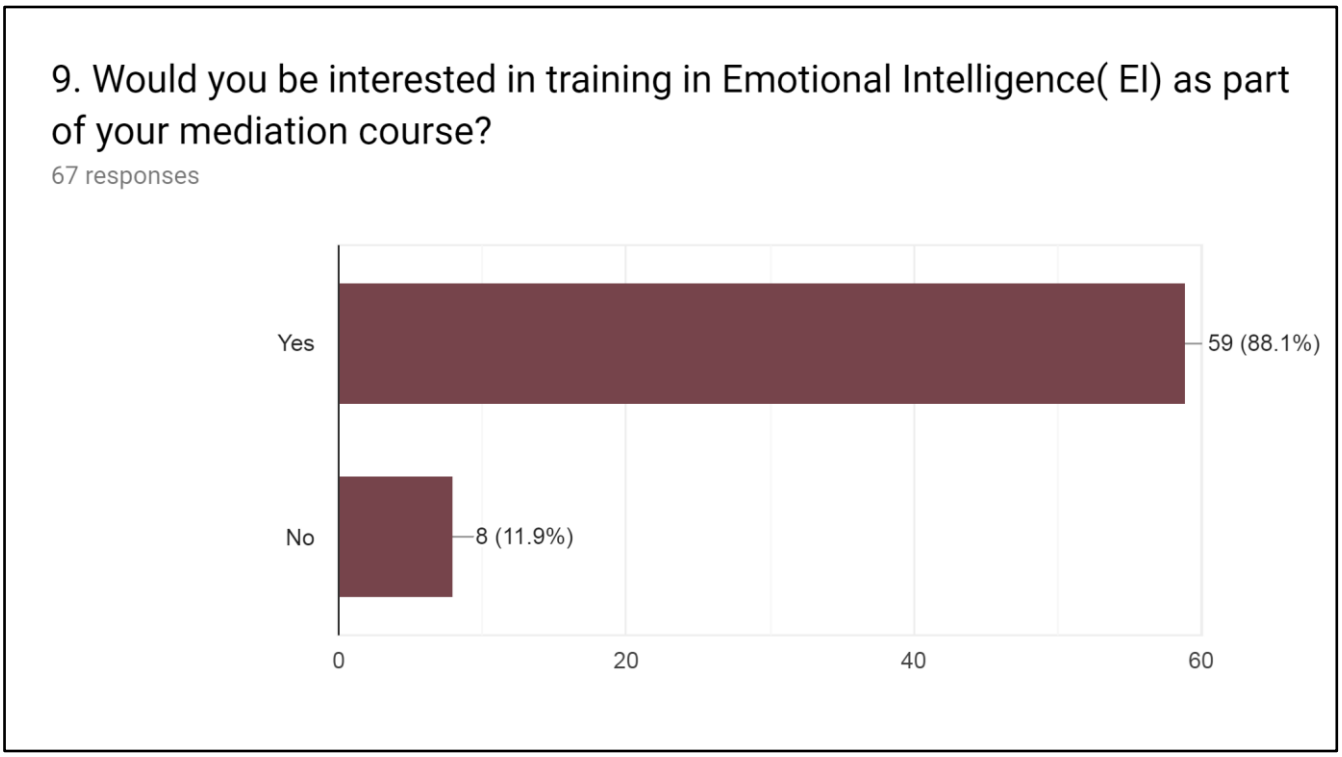


Figure 20. EI training in Mediation Course

j. Question 10. Would you like to add any comments in relation to emotions during a Mediation?

The answers to question 10 are presented by positive, negative, and neutral comments. Fortunately, for the majority of mediators 26 respondents find EI a very important area for Mediators to develop in Mediations. Some of them find it crucial to be aware of their own emotions and also to identify parties' emotions. Continuing with negative responses, one out of 32 participants have found EI as an invaluable in mediations situations.

Finally, five mediators have commented on the structure of the survey and the way that some questions have been formulated. However, one of those five mediators has finalizing with a positive comment.

j.1.Positive comments regarding the importance of developing EI in Mediators.

Comment n°1: Based in the co-mediation experience a lot of my co-mediators do not have this skill and it's desperately needed. A separate course in a CPD format would be a great idea

Comment n°2: I believe emotional intelligence and managing one's own emotions during mediation are extremely important and that training and continued self development in this area should be a priority for mediators.

Comment n°3: I feel that in mediation, what can be key in managing your own emotions is identifying triggers or scenarios which can have an impact on your own emotions. Generally developed through experience but once you become aware of them, you are on notice to counter these changes in order to maintain control of the process.

Comment n°4: I'm not sure that formal training is what is required but it would help towards an understanding of the emotional issues. I believe however, that a mediator should have a good level of emotional intelligence if he/she is to be able to manage what is normally an emotional process for the parties involved. If the training helps with this, then that would be great.

Comment n°5: I have an EI qualification and I am an Executive Coach. I find that the skills I learned and practised are essential when dealing with a mediation matter.

Comment n°6: Body language, facial expressions and tone of voice in reactions are indicators of clients'

emotional intelligence. The mediator adapts accordingly with a heightened awareness that coming across as empathetic to one party may be deemed as being impartial by another therefore the mediator's emotional intelligence is imperative at such a time as she will use certain skills to ensure this does not happen there emotional intelligence and awareness are imperative to pre-empt what has the potential to happen.

Comment n°7: The key to successful mediation is having a heightened awareness of others' emotions, both displayed and not, and changing the direction of the process if needed. A good mediator must watch for various signs through words used, body language, eye contact etc. You can never really know what someone is feeling but you can read the signs.

Comment n°8: As a Mediator you must allow the parties to show their emotions - the manner in how you do so can be managed in the pre-mediation sessions, but it is important for the parties in 'Story' telling phase of the Mediation to have a cathartic experience. In my experience people cannot engage in productive discussion or reasoning when their judgement is clouded by emotion. In most cases the parties have been looking for that release or at the very least to feel like their frustrations have been heard.. as a Mediator the ability to clarify and re-frame either party's position to the extent that either party now feels that they have been heard by the other party can be extremely effective - we are only human after all. As such, being able to manage emotions and cope in that environment is a key skill set and any training in this regard can only benefit the mediator and thusly the process.

Comment n°9: I have read Daniel Goldman's book on Emotional Intelligence and refer to it regularly
I know that sometimes during mediations "it is never about what it is about" if that makes sense as anger comes out and it can at times have absolutely nothing to do with the complaint.

Comment n°10: "It's all about the others not me"

Comment n°11: Making the process of pausing and separating your bias due to emotional triggers is a key skill, I felt wasn't focused on enough in training. Would love to see more of it.

Comment n°12: I feel that part of the value added in Mediation is the acknowledgement of the emotions that the conflict has caused and therefore the more competent the Mediator is in working at an emotional level, the greater the chance of conflict resolution occurring.

Comment n°13: I have trained in EI and feel it should be mandatory for all mediators to have some EI training as part of certification and/or ongoing professional development.
Best of luck with your studies on this. Very worthwhile.

Comment n°14: Understanding the clients' emotions and being able to respond appropriately (i.e. controlling one's own emotions - and prejudices etc.) is an essential part of the mediation process, as this is how to reach an insight as to the possible underlying interests of the parties. Possibly more essential in certain types of mediation (separating couples etc.) and less in others (e.g. purely commercial).

Comment n°15: An extremely important subject.

Comment n°16: Sometimes parties are very entrenched in their positions, can get very emotional and angry. I would like to do some training in Emotional Intelligence in order to support parties in such situations. Although we did in fact do some work in Mediation training, it is only when I experienced the

real feelings of parties, that I would like some training. It's quite different in role plays in comparison to dealing with people and their real disputes.

Comment n°17: I'm also a trained psychotherapist as well as a mediator - I feel my psychotherapy training helped me with empathising with others...which is very important in mediation
A mediator must not be afraid of emotions arising during mediation nor be deflected by them, subject to safety concerns for all participants.

Comment n°18: I have a Leadership background and my experience is that EI is not valued like it should be.

Comment n°19: Well structured mediation training does deal with emotions in mediation. Mediating conflicts which arise almost always requires an understanding of our own emotions (as mediators) and the impact emotion has on participants within mediation. This is human interaction and therefore emotion always plays a part - whether the mediation addressed commercial, family, workplace or community issues.

Comment n°20: Some say the only real emotion is love. We don't often see that in mediation. However we do see a lot of anger. The mediator must have the capacity to recognise this emotion for what it is and work firstly with her/his own response to anger as well as coaching the party through their own anger so that they can be in a better place to bring the matter to settlement. "You cannot shake hands with a clenched fist."

Comment n°21: Ability to handle and manage emotions is a vital need for a successful mediation of any kind.

Comment n°22: Interesting topic and it certainly plays a part in Mediation practice challenging and managing emotions is very important in a mediation environment. It's a balance act you cannot over manage them and sometimes letting them flow is healthy. Emotions have to be curtailed if they generate into insult and domination. The mediator has to protect both parties particularly to most vulnerable one. It is sometimes overlooked yet I do believe empathy is a very important component in mediation for many reasons

Comment n°23: It is important to know yourself.

Comment n°24: It is extremely important to be able to assess others' emotions during a mediation. It makes you aware of hot topics, others vulnerabilities.

Comment n°25: I am a newer Mediator and still caught out by new situations in disputes.

Comment n°26: As a nurse undertaking year two of a Master's programme, I believe I have been aware of the need for emotional intelligence for many years. Although the term emotional intelligence is relatively new to me, the essence of its meaning and importance of its application has been of significant importance in my work.

j.2 Negative mediator's point of view regarding EI as an important skill to develop in Mediators.

Comment n°27: I had previous training as a counsellor and I find this to be invaluable in a mediation situation.

j.3 Comments based on the structure of the survey.

Comment n°28: Separate query: Is there a reason why the age limits in questionnaire end at 64?.

Comment n°29: I think this survey is very leading - for example there are times when I manage others emotions very well in mediation. Other times, in hindsight I believe I could have handled it better. It needs a sometimes box. I believe training in managing emotions, mine and the clients' is very important along with being able to develop empathy. These abilities are also crucially linked to the ability to develop self awareness and reflection IN action and ON action. I think this is the better route to managing emotions than relying solely on emotional intelligence per se.
Being able to persuade and lead others is not the job of the mediator in my view. Being able to get to the heart of the matter, hear and express the deeper more meaningful story for each person rather than the 'top' story and then also hear and express a 'mutual' story that the parties may not have heard before is crucial. Is that 'leading'? Some say so.

Comment n°30: Three things: Question 1 - the word should be "voluntarily"!
Question 3 - Many mediators I work with, including myself, are above the oldest category offered, yet no further categories were offered and the survey cannot be completed without ticking a box here. This

is bound to skew your findings! Questions 6 and 7 - a more discursive response would give you a far more accurate picture. Yes/No options are far too crude to measure this element of the research.

Comment n°31: Some of the questions are unclear. The introduction talks about a mediator managed their own emotions (?):".....it is about tuning in to yourself and others and then using this valuable information to better manage yourself and your relationships with others."

j.3 Comments based on the structure of the survey with positive view of EI in mediators.

Comment n°32: Yet questions five and six seem to ask questions about managing the emotions of parties in dispute. Question seven talks about managing your own emotions between the parties'. I am unsure what this means? Is it mediator's emotions or the emotions arising 'between the parties' in dispute? And question nine is ambiguous.

The question re age is mandatory, but only caters for those up to age 64, so I could not respond to it factually.

The emotional component of mediation is vital to the understanding of the process.

CHAPTER V DISCUSSIONS

21.Emotional Intelligence in Mediation or not?

The present study critically evaluated EI as a required set of abilities for Mediators during a Mediation. In general, the results gave support for the reliability and validity of this study although some unmeasurable limitations have been found and need to be discussed.

Apart from doing a deductive approach from the hypothesis on how important is EI based on previous authors and previous researches, one of the purposes was also to capture a good population of mediators which can provide reliable feedback for the study. The chosen data collected through The MII in the methodology was successful as it can be seen in the findings that a 68 sample size have participated and 32 of them have shared their opinions on the matter.

Second, the main objective of this study was to complete a dissertation that extracted relevant factors of how dealing with emotions is a vital skill to develop for mediators during Mediation processes; and what is the Mediators' perspective if an EI certification was applied at the Mediation training. Even if most of the mediators answered that they had taken an EI training during the mediation course, there was no evidence that Mediators did EI training as part of their mediation course. However the relevant point is that the majority of mediators believe EI training is vital because in a process where the mediator cannot take any decision for the parties, he or she needs to find the right skills in the middle of the conflict to make them find a solution that both are happy with. The results that are also related to the two first research questions of this dissertation show in figure 5 that almost a 90% has opted for EI training for one reason that suggest that EI have been considerably helpful for mediators in order to improve in mediations and also to establish better relationships and communication with the parties. EI training will enormously help mediators during the process.

At the beginning of the investigation, it is also mentioned of the importance for mediators to work on their own emotions as Salovey, Mayer and Goleman describe EI as the capacity to be aware of, control and express one's emotions. Some of the most important abilities of EI are to be able to motivate oneself and persist in the face of frustrations; to control impulse and delay gratification; to regulate one's moods and keep distress from swamping the ability to think, to empathize and to hope. It can be found in the survey some valuable information on how mediators see EI, how they manage their own emotions and their own experiences during their mediation career.

The data collected shows that 98.5% manage their own emotions, it is important to note that one of the downsides of this investigations is the fact that the information given could not be measurable or tested. Having said that, the EI coefficient of the 68 participants cannot be measured. The research philosophy of positivism highlighted that one of the risks of this approach is the fact that the research based on this philosophy only predict the average behaviour but not the behaviour of each individual.

However, based on the age figures in the survey, it can be concluded that because of their advanced age (55-64), they have participated in more mediations and also they have experienced different emotional situations. By this experience, it is possible that they have acquired more control of EI, and this fact can be considered a relevant factor to the reliability of answers. Der Foo et al. (2004, p.374) reported that individuals high in EI presented more positive experiences during the negotiation stage and that EI is a valuable factor for achieving integrative negotiation outcomes

Another important point to mention if is during the study there was no gender inclination or gender separation, but it turned out in the survey that the majority of the respondents were females. One of the speculations from my point of view considering also the age of the participants is that women tend to have that instinct to help others, more compromise towards others and a large sense of participation. The

help of the female office manager Alison Martin could also influence the female participation. There is a tendency proven that females tend to score high levels in empathy and social skills contrary to men which are better on self-confidence and managing stressful emotions.
The range age of the majority of the respondents 55-64 years old can be suggested that they have already invested time developing EI during their professional lives and also experience repetitive situations in mediations.

On the other hand the hypothesis of this study also suggested that mediators with EI are more prepared to manage emotions that arise during the mediation and allow them to develop the empathy to understand every side of the parties and make the parties process the process in a less traumatic way. Also, a suggestion made by Herrman in 2006 is that mediators shall learn how to focus on feelings as critical to conflict management. The findings from this study suggest that EI could influence Mediators. And the reason for that is because EI in mediation gives mediators the ability to employ their feelings to enhance the cognitive system which is the thinking part. This skill can be exploited by the mediators to obtain more effective problem solving, decision making, reasoning and creative achievements during the mediation. This point was verified from the analysis of the survey, which indicate in Figure 7, that 55 of the mediators benefited from EI training when managing their own emotions during the process of Mediation. EI is a subject that has been becoming an optional skill to develop for professional in workplaces because it can be seen as a powerful way to create more emotionally stable environments.

Another interesting point is the fact of how mediators manage the emotions which arise in the process. In a mediation process, it is common that the parties feel disrupted by emotions, such as anxiety, anger and fear. In that moment it is important for the mediator role to make the parties focus on what is really important. This recognition is made by the mediator. As mentioned before in the literature review, the

mediator empathy, being heard and understood require an appreciation of the parties' emotions; without emotional communication there is a risk of failure in accomplishments.[66]

The more EI the mediator has the more he or she can use it to manage emotions. Two crucial components of EI during a mediation are empathy and openness. When the parties experience moments of emotional stress, the mediator needs to be able to create communication with the parties to help them to stabilize emotionally and create an atmosphere where the parties feel the mediator is in their shoes.

Previous research mentioned in this investigation (Hutt, 1947) and clinical studies (Axline, 1965; Baruch, 1952) suggest that creating more emotionally stable environments, or employing psychotherapy with the disturbed individual, can yield dramatic increases in tested intelligence quotients.[67]

This statement has also been demonstrated in the presentation of the data question 10 where many mediators agreed that being aware of parties' emotions is an essential ability that mediators should recognize by non-verbal communication, words used and eye contact.

Applying this research design by an open question in the survey of the investigation gave us the opportunity to know exactly what are the mediators' opinions on the subject. One of the mediators of the survey mentioned that understanding the clients' emotions and being able to respond appropriately, for example controlling one's own emotions - and prejudices etc. - is an essential part of the mediation process, as this is how to reach an insight as to the possible underlying interests of the parties. Possibly more essential in certain types of mediation (separating couples etc.) and less in others (e.g. purely commercial).

In figure 6, the importance of this analysis is verified. Six mediators out of 10 that did not have EI training therefore they do not feel they can handle parties' emotions during a mediation.

[66]Herrman, M., (2006) *The Blackwell Handbook of Mediation*, First Edition, Blackwell Publishing LTD
[67] Mayer, J.D., Salovey, P., (1993), *The intelligence of emotional intelligence*,p.438.

At this point, the dissertation is continuing to show that developing EI in mediators is important. A large population can be seen in figure 8 where 93.8% of the mediators believe that EI training during mediation course is important. As mentioned before in this study**,** Herrman & Hollett (2002)[68] describe mediators as individual creatives where they create environments where dialogue, problem analysis, and problem-solving take place. The environment mentioned requires creating a supporting trust, empathy, and rapport between participants. Similarly, figure 9 shows that the majority of mediators are also interested in taking EI training as a part of mediation course. This question could also make us think that mediators do not have in actual times EI as a formal subject involved in their courses or studies. This leads us to the third research question: could EI considered or not as a part of the Mediation course?

It is important to mention that based on previous author theories, Daniel Goleman gives special importance to incorporate the role of emotions and EI in course design and training experiences.

To conclude the discussion of this dissertation, it is important to point out again that EI in mediators can be learned. Every individual can be identified, evaluated and can improve on elements of EI. The mediators have the opportunity to put it into practice during every single mediation. As one of the mediators surveyed states: "for example, there are times when I manage others' emotions very well in mediation. Other times, in hindsight I believe I could have handled it better". After doing an extensive study of EI, it can be considered as a valuable skill for mediators; yet here is where the gap of the study comes up: should universities, colleges or institutions in Ireland incorporate EI training in mediation courses? A positive answer is proposed after the investigation, data collected and findings.

[68]Herrman, M., (2006) *The Blackwell Handbook of Mediation*, First Edition, Blackwell Publishing LTD

22.Conclusions

The main objective of this research was to complete a study that extracted relevant factors of how dealing with emotions is a vital skill to develop during Mediation processes and what is the perspective and benefits if an EI certification when applied in Mediation trainings.

Is the ability to understand, control and evaluate emotions / EI a necessary skill to develop for Mediators?

This research has examined the importance of developing EI in Mediators as a possible advantage during mediations. It has been found through the research that the efficacy of EI offer mediators a possible technique that helps professionals in mediation to get the empowerment of emotions and a better participation of the parties. The mediators with their professional training acquired in mediation combined with the abilities obtained by developing components of the EI favours the mediation process and also stimulate the communication between the parties. There is evidence in the findings that 84.6% did training during their mediation course and 88.1% would be interested if training was a part of the mediation course. Another important point to highlight is that new mediators have found difficulties in dispute situations. The EI ability should be developed during the mediation course in order to prevent situations where new mediators do not know how to react to parties' feelings.

How EI could help Mediators during Mediations?

The findings showed that developing EI in mediators is beneficial for the mediator and the parties. The survey with an open question enables us to have more confidence in our generalizations from the research. The population have shared similar points of view about the importance of developing the most important components of EI in mediators. Most of the population mentioned that having the opportunity to develop elements of EI increased EI compatibility in mediators.

First, for mediators and researchers, one of the most important elements to develop is self awareness which is the ability to recognize and understand emotions and their effects on parties. This requires the ability to pay attention to what is happening to yourself first and around us as well as how they are related. Self-awareness and awareness are the opportunity for mediators to know themselves better and also as one mediator participant pointed out during the survey: EI and awareness are imperative to predict what has the potential to happen.

Another finding in EI that reinforce mediators is motivation. Motivation will make mediators present conflicts with more confidence to attract and motivate parties. Motivation is recognized by authors to be a powerful ability to control and influence parties or situations in this case in mediation situations.

Empathy was found to be another EI skill that help mediators to recognize others' feelings, what are the reasons or the causes of these feelings, and to be able to participate in the emotional experience of an individual without becoming part of it. Mediators empathy or paying attention to the parties' feeling demonstrated to the parties some kind of compassion and understanding. During a mediation it is important to identify which factors determine the emergence of these emotional reactions to be more emphatic with the parties and to know more about how such emotional responses can be trained and changed. Again, it can be found in the findings, a mediator trained in psychotherapist. He or She found that empathising with others is very important in mediation.

The last of the elements finding of EI that would help mediators is social skills. In mediations, the mediator is the key person to get the parties to reach an agreement. The mediator as a leader in mediation, he or she must need to have excellent communication skills. The mediator should be responsive to their parties' needs, bringing them together and resolving the dispute in an amicable environment. In the findings, it can be noted that a good mediator must watch for various signs through the words used, body language, eye contact etc. You can never really know what someone is feeling but you can read the signs.

This is part of the non-verbal communication skills also important to develop in mediators through EI.

Could EI be considered or not as a part of the mediation course?

A population of 88.1% of mediators positively respond to that question posed at the beginning of this study. There is no doubt that EI, not only improves personal growth of the individual, but also brings skills to success in mediation processes. This research proved the hypothesis that with training in EI e during the mediation certification, mediators are more prepared to manage emotions that arise during the mediation and allow them to develop the empathy to understand every parties' side and make the parties process the process in a less traumatic way.

However, the study also showed that not all mediators have a positive judgement of EI in mediation courses, and it is fundamental to indicate that in the findings there is some judgement against EI as a skill to develop in mediators. Those opinions are lower 11.9% than the population in favour of EI but they are also important for the results.

In summary, the most relevant parts of this investigation on how important is to develop EI in mediators are:

- ADR are becoming important alternative for solving problems and professionals capable and also with EI levels are preferables.
- EI can be learned and skilled.
- A high percentage of participants in the data collection agree that EI has to be developed.
- Mediators should be aware of their emotions and recognize the emotional part of the parties affected.
- EI training in mediation courses is fundamental.

23.Recommendations

It is fundamental that the introduction of EI training for students in mediation become a significant subject in their plan of studies. As mentioned in this research by Daniel Goleman in his investigation related to EI, there is a high improvement if a set of rigorous assessments when using measures of applied EI in students.

The number of Mediators in Ireland is increasing due to the fact that mediation is becoming a very popular alternative conflict resolution option and mediators need to develop certain skills and abilities to get the parties to reach an agreement without having the power that arbitrators and judges have. Based on the study carried out, it is recommended that institutions consider EI training as an opportunity to offer future mediators an extra key to success in mediations. EI will give Mediators an ability to understand people, to manage emotions correctly and to improve relationships with others.

Another recommendation after the result of this research is that further research is needed to determine the actual levels of EI in Mediators.

Finally, it is also recommended that mediators also consider developing EI not only for the professional life but also for the quotidien life as part of personal growth. It is indisputable that EI teaches us how to gestione our emotions, be aware of others' emotions and how to react in difficult situations by the use of the components of EI such as self-awareness, empathy, social skills and self management.

After conducting this research on the importance of developing EI in mediators, I look forward to additional investigations of EI measures in predicting mediation performance and also the incorporation of EI training in mediation courses.

24.Limitations

One of the most remarkable limitations in this study is the fact that EI is not seen yet as an important subject to teach in class. Time and money implications are certainly a factor that keep back some institutions to teach formerly those types of learning such as EI that do not belong to the traditional scheme of academic requirements. There is a lot of documentation on how important is to incorporate EI in courses but there is little evidence that institutions are considering this as a part of their academic plan.

Another important limitation is also how mediators see EI. Some mediators are still skeptical to this new type of learning on how to manage emotions during a conflict. They find EI invaluable and unnecessary skill to develop for mediation.

25.Reflection

During the year doing my MA Dispute Resolution one of the most frustrating parts was the practical mediation assessments. In May 2019 while doing a play role meditation where emotions such as trust where the main root of the problem I found myself in a situation where I could not understand how to deal with it and to be honest I panicked and I found it useless. But the reality is that our conflicts are always disagreements based on different abstract factors. The conflicts in a mediation are mainly perceptions, concerns and interests that are different from our views, interests and goals. This is why I found EI helped mediators to recognize first why this conflict is happening, what are the parties' emotions, to be empathetic with the situation and finally help the parties to find a solution considering and making use of the element of EI.

I strongly believe that mediations where there is no support of legal contracts or agreements is a very difficult situation to address. This is why I have decided to continue with my investigation on how important is to develop EI in mediations. If during the MA in Dispute Resolution all the students have from the beginning of their career a certain base of EI and how to deal with situations where there is nothing more than only emotions and feelings involved. This could certainly benefit the performance of students and also prepare better to face them in the real world. It is suggested that not only theoretical in EI is needed but also more practical meditations with professional trainers. There are many mediation situations where emotions during the conflict are the main focus and having an EI qualification will better prepare students for this.

During the development of this investigation different factors have been challenging but finally overcame.

For the last two years I have been fascinated by subjects and techniques to develop skills that help me to understand my emotions and become more understanding towards others; that's why EI was one of my first thoughts when choosing a title for my investigation. This study has offered me the opportunity to get deeper into the subject and broaden my knowledge which I have no doubt that will help my personal and professional learning.

I have to say that during the research process a series of difficulties of learning and understanding every section of the dissertation was the most challenging part. It forces me to improve my academic work and my reading skills.The stress of not meeting the supervision expectations was one of the most unmanageable part for me to deal with but I have to recognize that the good engagement and participation of the supervisor was very positive and extremely helpful. The supervision time spent on my work was valuable and gave me the opportunity to better understand some points and also to improve every section of the dissertation.

At all times during the research I tried to keep my attention on the best resources that could contribute to this EI study as well as focusing on authors who had participated the most in the subject. On the other hand, a selection of population within The MII was very productive to collected information needed.

It is important to mention that the fact of writing a thesis in a different language than your mother tongue is very frustrating sometimes. Making yourself clear and concise in order to communicate your original ideas and how you really want to express them was a very demanding process.

The most enjoyable part during the investigation was the presentation of the data, analysis and findings. It was unexpected for me to find mediators so interested in my subject and willing to participate in the

investigation. The data took only a few days to be collected and impressively at the end of this study, one of the parts predicted as the most challenging section became one with the most satisfying results.

Finally, the information gathering and all the work completed for this dissertation proposal was not only a success on demonstrating how important is EI in Mediators but also a way to demonstrate myself that I could achieve a dissertation proposal by eliminating the barriers of procrastination and negativity in my mind.

NOTES

ADR: Alternative Dispute Resolution

EI: Emotional Intelligence

IQ: Intelligence Quotient

MBA: Master of Business Administration

UK: United Kingdom

EU: European Union

HE: Higher Education

MII: The Mediators' Institute of Ireland

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ANNEX 1

Questionnaire

Emotional Intelligence in Mediation

*Required

1.Do you voluntarily agree to take part in this survey? *

- Yes. I am over the age of 18 years old and I agree to participate in this survey.
- No. I am not over 18 years old or I do not agree to take part in this study.

2.Your gender*

- Female
- Male
- Other
- Prefer not to say

3.Age Group*

- 18-24 years old
- 25-34 years old
- 35-44 years old
- 45-54 years old

- 55-64 years old
- 65-74 years old

4.Are you a Mediator? *

- Yes

5. Did you have any training during your Mediation Course on how to address the emotions involved in people during a conflict?

- Yes
- No

6. Do you feel you manage client's emotions when those arise during the alternative dispute process?

- Yes
- No

7. During a Mediation do you feel you can manage your own emotions when the situation between the parties become difficult to deal with?

- Yes

- No

8.Do you believe Mediators need to train in Emotional Intelligence to develop the ability to understand their emotions and the client's emotions?

- Yes
- No

9.Would you be interested in training in Emotional Intelligence (EI) as part of your mediation course?

- Yes
- No

10. Would you like to add any comments in relation to emotions during a Mediation?

ANNEX 2

Letter of Request

July 15th, 2019

Alison Martin

The Mediators Institute of Ireland (The MII)

Dear Ms. Martin,

In partial fulfilment of the requirements of a master student in Dispute Resolution at Independent College in Dublin, I am conducting a research entitled, "The Importance of developing Emotional Intelligence (EI) in Mediators".

I am in the process of gathering data through questionnaire that will be used in my study. Regarding this issue, I would like to ask you permission to distribute my questionnaire to the mediators registered in the MII.

I would greatly appreciate your consent at my request.

Thank you for your time and positive action.

Respectfully yours,

Karla Guerrero Student

Contact details:

Name: Karla Guerrero

E-mail: karlaguerrero24.kg@gmail.com

Phone: 00 353 858 48 21 52

ANNEX 3

Survey

8/30/2019 Gmail - Request for permission

Karla Guerrero <karlaguerrero24.kg@gmail.com>

Request for permission

info@themii.ie <info@themii.ie> Tue, Jul 16, 2019 at 10:10 AM To: Karla Guerrero <karlaguerrero24.kg@gmail.com>

Hi Karla,

I have now circulated your questionnaire to all MII members.

I hope you get sufficient responses.

Best of luck with your research and we'd be very happy to see it when you've completed your masters if you want to share it.

Best regards,

Alison

Alison Martin Office Manager

The Mediators' Institute of Ireland Suite 112, The Capel Building Mary's Abbey Dublin 7 D07 X544

t: +353 1 609 9190 w: www.themii.ie

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