

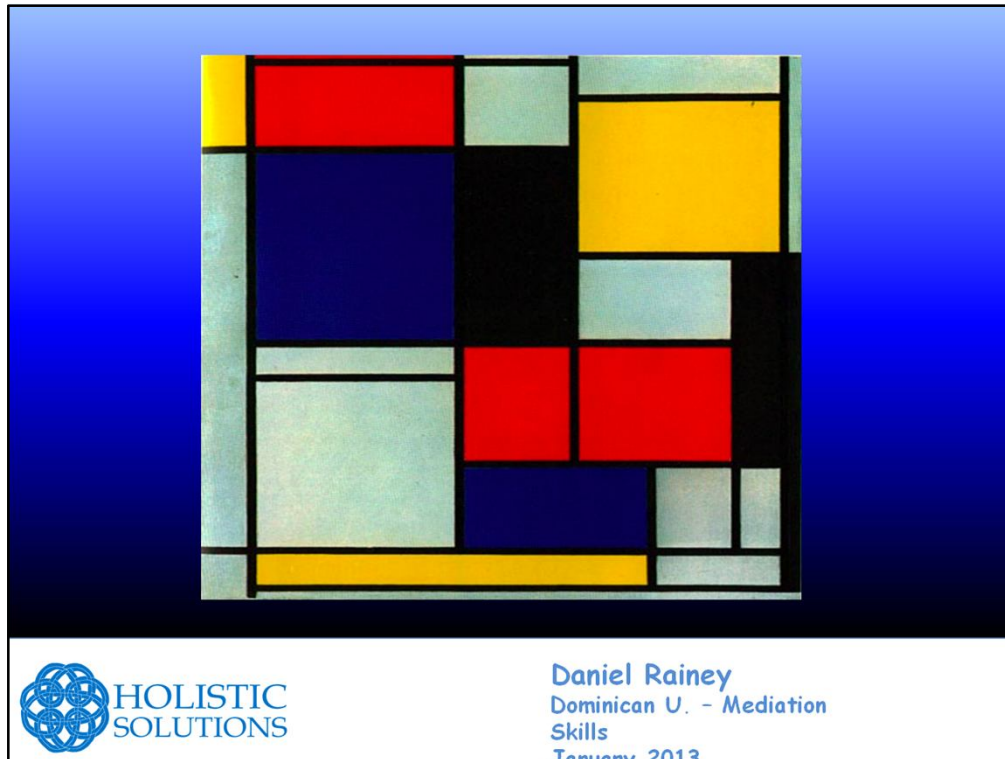


The Grammar & Syntax of Mediation



Daniel Rainey
Dominican U. - Mediation
Skills
January 2013

(Based on the intro to “Mediation in the Mainstream” presentation for 2012 ABA Mediation Week at Creighton Law School)



You might think I'm crazy, and you might be right, but I'd like to start our discussion of mediation by talking for a bit about the artist who created this painting.

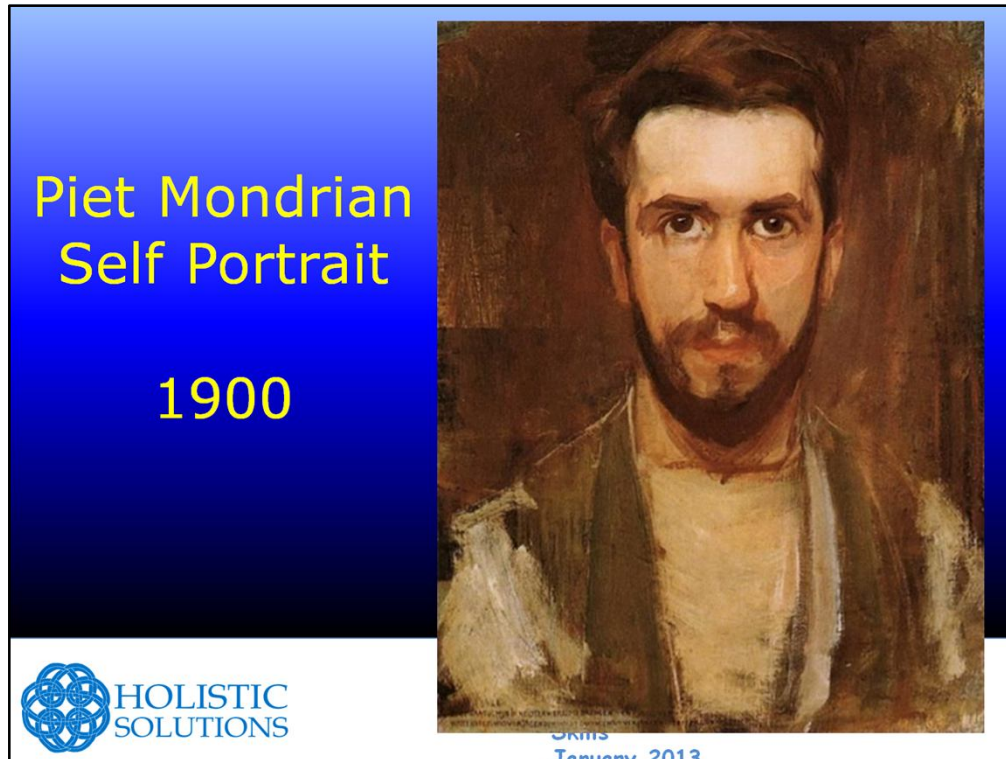
I taught my first university class in the summer of 1973, and I think the class I have most enjoyed teaching over what has now become almost 40 years is one called "Reading the Arts." It was an undergraduate class that was part of an experimental degree program at George Mason University – the program was called PAGE – the Planned Alternative General Education, and it brought together faculty from all over the university to teach innovative courses. Reading the Arts was a course that I put together to explore the symbols, language, grammar, and syntax of writing, painting, music, film, architecture, and sculpture. It was a lot of fun to teach, and it made me think about what "normal" is across a wide range of human expression and human communication.

That course has stayed with me, and the notion of a basic grammar and syntax that was at the base of our discussions is, for me, a very good way to think of the mediation form you are about to learn.

But I digress . . . back to the art and this artist for a little while.

This painting, one of several produced during the 1920's and 1930's, is

probably the style of painting for which our artist is best known to the general public – does anyone here know his name?



He's Piet Mondrian, a Dutch artist who lived from 1872 through 1944 – here's a self-portrait from 1900, when he was a 28 year-old, still learning his craft.



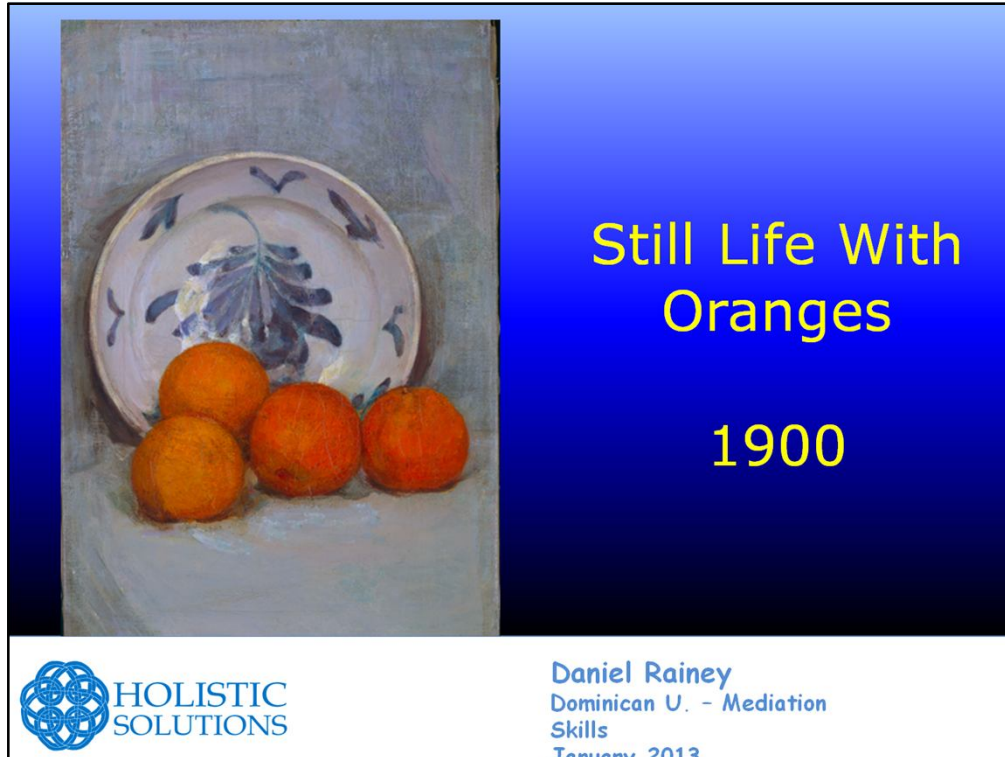
Girl Writing

1892



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Mondrian was part of an art moment known as De Stijl. When he was a young artist, like all young artists, he worked to master the basic skills and “language” of his art – perspective, color, shadow, form, etc. I suspect there was some chaffing on his part as his teachers insisted that he master the basics of representational art. After all, every generation of artists wants to push the boundaries and create something different from what has come before. But even if he was eager to start experimenting, as you can tell from this drawing, by the time he was 20 years old, he had mastered the basics of his craft pretty well.



Back to Mondrian at 28 – this still life may begin to show some signs of what we might think of as impressionism, but it's basically a standard still life, with recognizable oranges, and standard colors, shapes, shadows, etc. The guy could paint.



Mill on the
River by
Moonlight

1903

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Three years later, he's still producing art that is "traditional" in most senses – you can see that he's beginning to develop an interest in shape and color, but a windmill is still a windmill and a river is still a river.



Windmill at the edge of the Water

1904



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One year later, when he was 32 years old, his interest in shape and color is beginning to really emerge, and even though it's still a windmill, the shapes and colors that are basic to the image are beginning to dominate, rather than having the object he's painting dominate.

He's beginning to "violate" the basic grammar and syntax of realism.



The Red Tree - 1908



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Still working in Holland, Mondrian begins to really play with the grammar and syntax of realism – a tree's still recognizable as a tree, but color and shape are really the essence of Mondrian's interpretation.



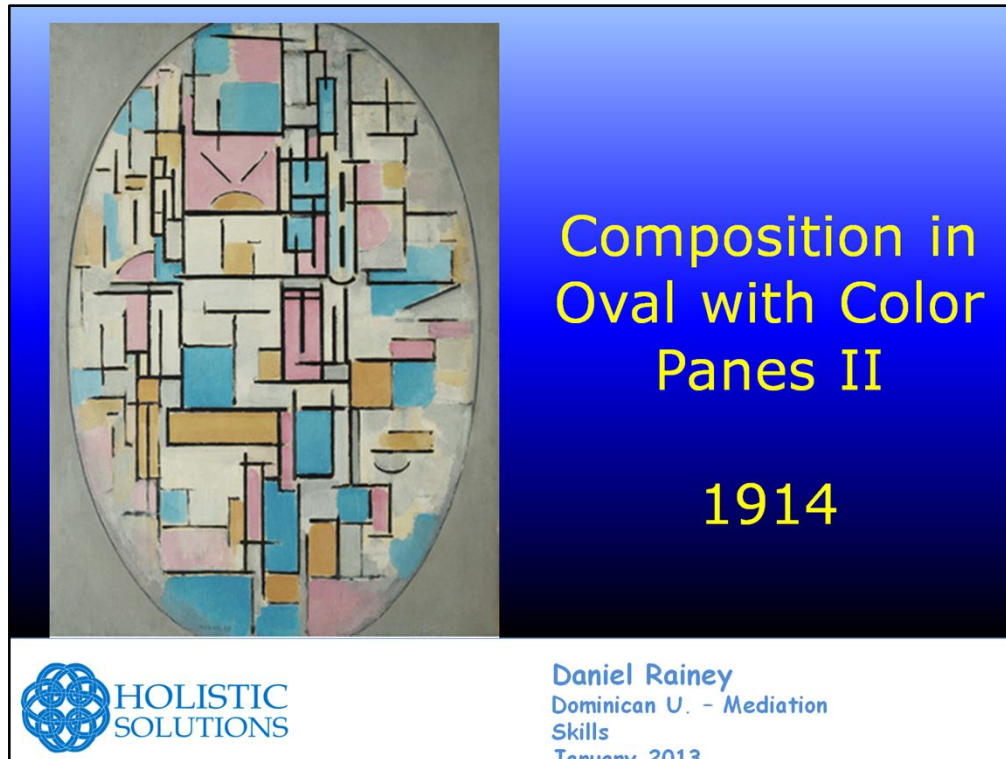
The Gray Tree - 1911



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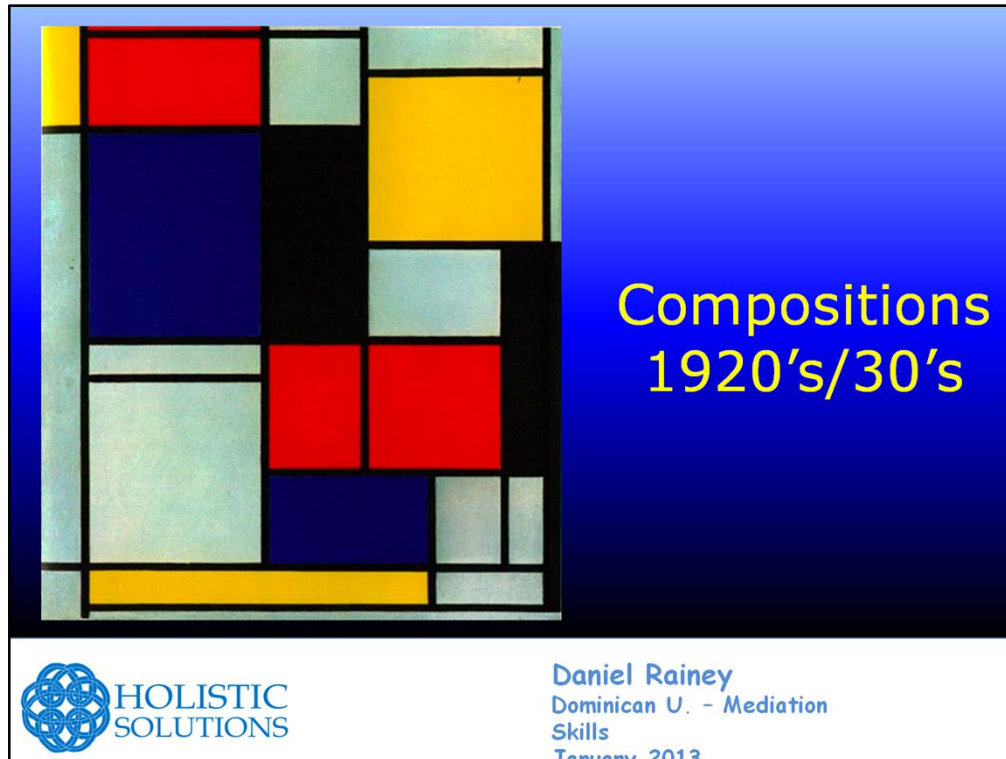
Mondrian painted the Gray Tree (in which a tree is getting to be not so much a tree) in the same year that he moved to Paris. And in that year, 1911, he officially dropped the second “a” from his name (going from Mondriaan to Mondrian).

While in Paris, Mondrian began to develop a style he called “neo-Plasticism,” a bending of the grammar and syntax that resulted in the next image



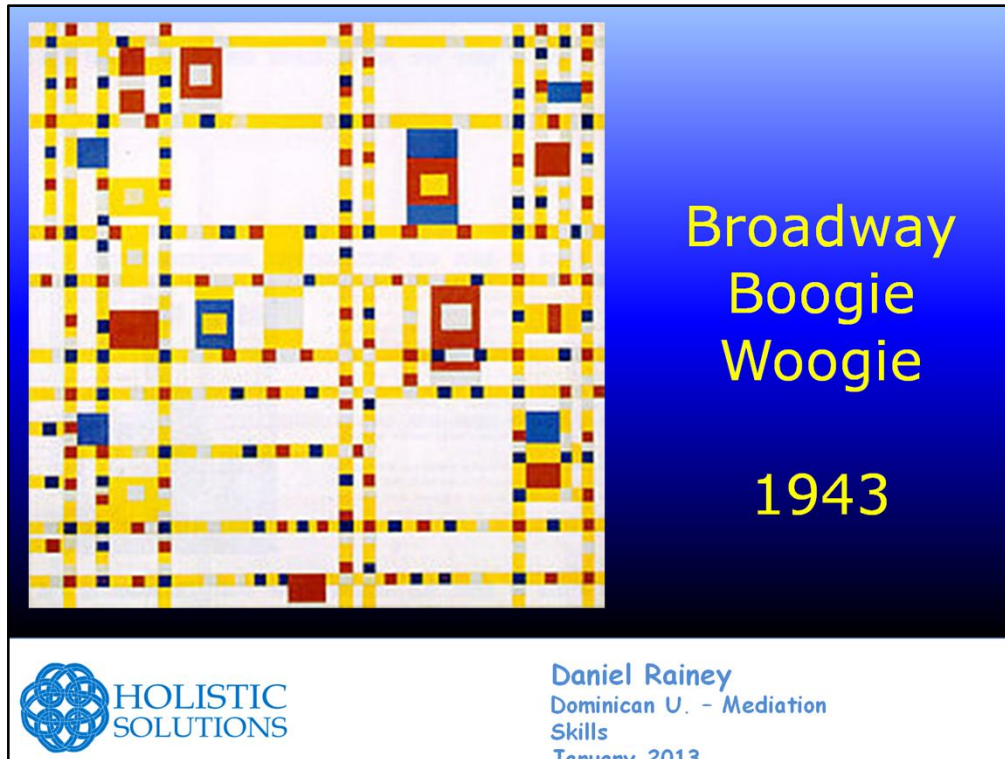
. . . which maintains some of the notions of form and relationships from classic realism, but which really bends the grammar and syntax of realism beyond recognition.

Mondrian moved back to the Netherlands in 1914, and he worked there until after the beginning of World War I.



By the 1920's (when he was in his 50's) Mondrian was back in Paris and was painting the totally abstract studies of color and shape for which he is now famous.

He moved to Paris for the second time in 1919, and stayed in Paris until 1938 as World War II was cranking up, when he moved first to London and then, in 1940 when the Netherlands fell to the German Army, to New York, where he lived for the rest of his live.

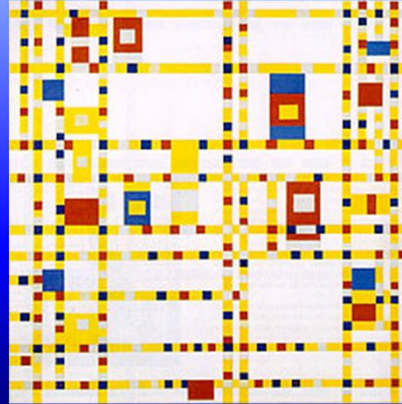


His last completed painting was this one – Broadway Boogie Woogie – finished in 1943, less than a year before his death. There are still some vestigial elements of classic realist grammar and syntax, and you can see the link to the “real life” elements that inspired it (the Manhattan street grid and boogie woogie music), but this is a full expression of Mondrian's bending of the rules.

It hasn't been on the market for a while – the last time it sold at auction it brought more than \$2 million (it's now owned by the Museum of Modern Art – MoMA). But it's valuable. BBW is 50” x 50” in size. A 9” x 9” “study” sold in 2006 for \$3,264,000.00.



1892

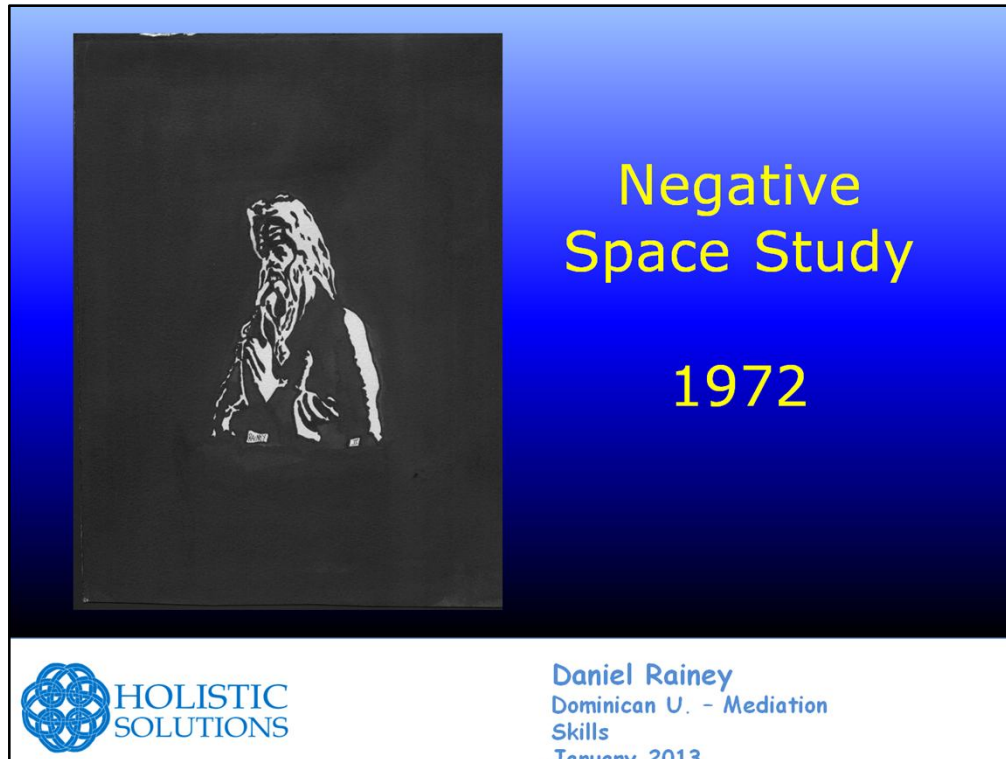


1943



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So what makes Mondrian's squares and colors worth millions? There are probably a lot of answers to that question, but at one level it's pretty simple. His art represents a well trained, intelligent artist, mastering the basic grammar and syntax of his craft, then “violating” the rules of his craft to create something unique.



This is a study in negative space by a rather lesser known artist. When I was a design student back in the 1960's, I, like all young would-be artists, wanted to be avant-garde – and cool. I found it really irritating that my teachers kept making me do studies to learn the basic grammar and syntax of form, shape, perspective, light, shadow, etc. I wanted to be Picasso or Mondrian immediately. But they were smart – it isn't creative to break the rules when you don't know that there are rules, and when you don't know why the rules exist in the first place. In order to produce something that's not just a mess, you need to have a grounding in the basic grammar and syntax of your craft, which you can then "violate" for purpose.

The North American Model



**Intake
Convening**

**Opening the
Session**



Issue Definition

Interests

Storytelling



**Generating
Options**

Brainstorming

**Evaluating
Options**



**Crafting a
Resolution**

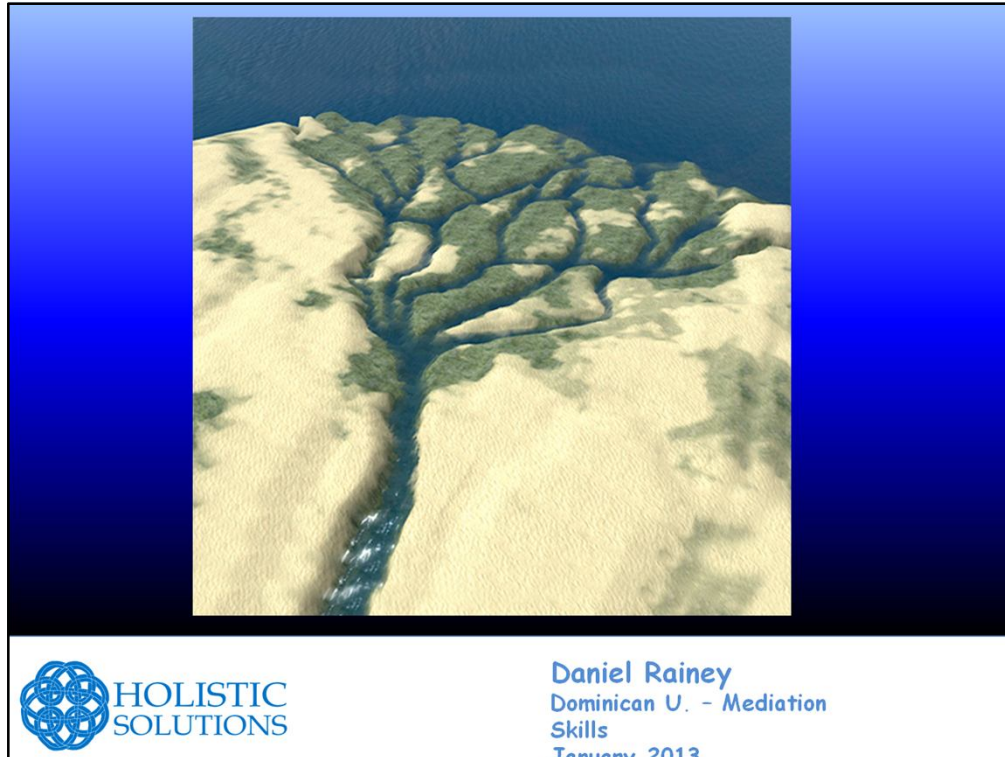


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The mediation that we will talk about in this session, and the grammar and syntax of mediation that you will learn, is the classic interest based mediation that you will find used in the U.S. - whether it's divorce mediation, community mediation, or other forms of mediation.

But there are many forms of conflict engagement other than mediation, and many ways to do mediation.

In this session you will learn the basic grammar and syntax on which you can fall back, and you will begin to learn the basic elements of human communication under stress that make that basic grammar and syntax effective – but as you become more experience practitioners, you will, like Mondrian, begin to adapt to your own style and you will use the basic form as a reference and a guide – not as a set of inviolable rules.



Think of the enterprise of conflict engagement as coming from a mainstream of thought about how parties in conflict can reach agreement (or at least co-existence) – the mainstream breaks into many branches – peacebuilding, transformative intervention, conflict management, etc.. Regardless of how the mainstream branches, as conflict interveners we do three basic things in every conflict venue: we facilitate communication, we handle information, and we manage small group (or large group) dynamics. Believe me, the basic interest based mediation skills, and the communication and group management skills, that you learn in this training will be useful down whatever branch you take.