

The Three Dimensions of Listening

2023 IACP Forum

Stephen Sulmeyer

“Listening to Us” Vignette

The following vignette illustrates how listening to our feelings can provide a roadmap to the emotional truth of the dispute, and hence to an overall resolution:

I was mediating a very challenging divorce case in which the wife, Catherine, wanted to relocate to her childhood home in the Midwest along with their daughter, Sandy. Both Catherine and Sandy were feeling lost and uprooted in San Francisco, where they were then living. The husband, Sam, at that point had had no contact with Sandy for a very long time, due to her refusal to have anything to do with him, and he was worried that if the move took place he would lose his relationship with Sandy forever. As almost all family law professionals know, these so-called “move-away” cases are among the hardest, if not *the* hardest, to mediate. Combined with the other most-difficult issue to mediate, refuse/resist dynamics between a parent and child, this case was clearly in the fast lane for impasse. But at this particular moment I was feeling something other than garden-variety hopelessness or futility. I was feeling heartbroken.

The feeling was powerful and palpable. Rather than shrug it off as some irrelevant residue from some event in my personal life that was getting in the way of my doing my work, I stayed with it until my eyes were almost brimming with tears. As I sat with and allowed the heartache, it became clearer. I could discern with greater specificity the nuances of the feeling. Sadness, grief, loss, unbearable pain. After I had this sense of deeper clarity about what I was feeling, I asked myself, “what might it mean about what’s happening right now in the room that I’m feeling this way?” As I expanded my focus from just “me” to the “us” that was comprised of Sam, Catherine *and* me, it seemed clear that the heartache I had first noticed within myself was actually in the whole room. As I sensed *us* I felt an uncanny feeling within myself that had the sense of something like, “I need to speak. I need to be heard. I cannot bear this pain any longer by myself.” So I checked it out with them. “I’m feeling so much sadness and heartache. Are either of you feeling that way?” Catherine nodded her head. Seeing this, Sam did too. Rather than grill the clients about what they were feeling during such an obviously vulnerable moment, I made an instantaneous and instinctive decision to share with them my sense of what was going on.

I knew some of the parties’ backstory from our individual sessions at the beginning of the mediation. I knew from Catherine that, in her experience anyway, Sam had suddenly abandoned the family without explanation. I knew that Sam’s disappearance was the catalyst for Sandy’s refusal to speak to her Dad. But I didn’t know much more than that. The thought occurred to me, “ah, there’s a missing conversation that never happened.” Great. But what do I *do* with that? Rather than try to figure out rationally where to go next, I stayed with the intense feeling of heartache in the room and allowed it to unpack itself. It was like I was handing my vocal chords over to the feeling so that it could speak. I said to Catherine, “I get the sense that you feel like Sam just abandoned you, just disappeared, and you don’t really understand why, and you’ve never sat down together and talked about this. He just withdrew, leaving you and Sandy to your own devices emotionally. Is this at all

accurate?” She said it was, and I could tell that there were a lot of feelings underneath her “yes.” I then said to Sam, “I get the sense that you felt abandoned and left by Catherine; like it was Catherine-and-Sandy, joined at the hip, and no room for Sam. And the heartache and sorrow and grief were so big that you felt you had to armor your heart and withdraw to protect yourself. That the pain was simply more than you could bear. Am I on the right track?” He said yes, but unlike Catherine, it seemed like Sam was very much in the throes of resistance to his feelings.

Having at least named and confirmed what seemed to be happening in the room, it now felt right to ask Sam and Catherine if they would be willing to say something about the heartache they were feeling. Catherine, who was clearly more comfortable feeling her feelings than Sam was, went first. She said that she felt heartbroken that Sam had abandoned her and Sandy. “I tried to talk with him about it, I even engaged a couples counselor, but Sam only attended one session. Sam said, ‘I’ll talk about Sandy, but not about us.’ I was devastated.” The room felt absolutely raw. I felt wide awake, but I had to force myself to breathe. Then Sam began to speak. He said that he felt that he didn’t matter to Catherine, that all she cared about was Sandy. He turned to Catherine, and his voice cracked as he said, “I didn’t matter to you.” As I’ve seen many times when people don’t want to feel the feelings they’re obviously feeling, Sam kept on talking “over the emotion.” I could *feel* his heartache and pain in my own heart, and they felt too important to simply gloss over. So I stopped him at that point and said, “Sam, it seems to me that you had a big feeling come up just when you said to Catherine, ‘I didn’t matter to you,’ but then you talked right over it. You and Catherine are now beginning to have the missing conversation you never had. So I wonder if you would be willing to go back to that feeling, and let that feeling speak. If the tears had a voice, what would they say?” He paused, and it seemed to me like he had reconnected to the intense sadness he had been feeling. But all he could say was, “I’ve already said what I can say.”

I acted on instinct and asked the parties if I could have their permission to try to channel Sam. They both said yes. I warned them, “when I channel I do it 100%. That’s the only way I can do it.” They were still willing for me to proceed. So I closed my eyes, and just felt the sadness, the heartache, the grief. They were so present, so intense. And I waited for words to come. Finally the words arrived, and I spoke them. “You left me!” I couldn’t hold back my tears, and they flowed copiously. “I needed you! You didn’t need me! I didn’t matter to you!” That was enough to get Sam to drop into his feelings, and his tears started to flow. We looked at each other, with tears in our eyes. And then he looked at Catherine, who was also weeping. The resistance to the heartache in the room had vanished, and now we just sat in it, together, the emotional truth of it now obvious to all.

Again trusting my instincts, I waited until the moment felt ripe enough to say something about where I felt the conversation wanted to go next. When I finally spoke, I pointed out that perhaps part of what we were all feeling was the tragedy of the situation. “Maybe this is the missing conversation you both wish you’d had five years ago, and the tragedy is that now maybe it’s too late. For whatever reason you lacked the emotional wherewithal to have this conversation, and in its absence you withdrew from each other and drifted apart. And that’s what Sandy grew up in: that unspoken space between you. And while this missing conversation perhaps comes too late for reconciliation, maybe it’s not too late in terms of having the kind of heart-centered collaboration you’ve both said you want. So imagine what it would be like to mediate from *this* space.” Here I paused, and tried to sense how what I’d said had landed with the parties. It seemed okay, so I continued: “From this space, could you each say one thing to the other?” Sam turned to Catherine and said, “I’m so sorry for all the pain I’ve caused you, Catherine. That was never what I wanted.” Catherine seemed to have shifted dramatically. “Thank you,” she said. “I know that now. This is the conversation I’ve wanted to have with you for so many years. Thank you for having it with me now.” It was late in the day, and the parties seemed spent. Although with hearts wide open we might now have been successful in

negotiating the difficult issues they faced, we instead agreed that at this point there was nothing further to do but decide upon the next action items, the most important of which was to select a child specialist who would interview Sandy so that her voice could be brought into the process. We agreed to meet again when the child specialist was ready to share her report. I invited the parties to feel free to reach out to me if, in the aftermath of today's session, they would like to talk with me.

I wondered if, in later sessions, the parties would be able to return to this state of mutual vulnerability and open-heartedness. As it turned out, they were able to do so. With my help they negotiated a parenting plan that included permission for Catherine and Sandy to relocate to the Midwest, and a step-by-step plan to help repair the relationship between Sandy and Sam following the most respected refuse/resist protocols. Throughout the rest of the mediation, whether working on the parenting plan or the financial issues, the parties remained open and tender with one another, while bringing their prodigious financial and analytical skills to solving the remaining problems. The heartache and tragedy remained, but despair had been replaced by love and hope.