NAVIGATING DIRECTIVE IMPULSES IN TRANSFORMATIVE MEDIATION: ETHICAL TENSIONS AND MEDIATOR REFLEXIVITY

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1. Introduction

Transformative practice, rooted in the relational values of party self-determination and mutual recognition, is committed to supporting the parties' capacity to define and direct their own conflict narratives. In this model, the mediator's role is deliberately non-directive. Interventions are restrained and guided by the overarching goal of supporting party agency and responsiveness. As Bush (2019, p. 474) explains, the Transformative mediator *"supports the parties' choices, rather than to direct them in any way,"* never supplanting party decision-making even in the name of fairness. The mediator becomes a participant in, but not controller of, the conversation, upholding empowerment and recognition as core practices (Bush & Folger, 2005).

Transformative practitioners often encounter moments of internal tension, which we refer to as directive impulses. These are feelings of being compelled to intervene, guide, or redirect the conversation. Such impulses may arise when a party is crying or shouting, when one side seems unjustly treated, or when the discussion stalls. These situations test the boundaries of neutrality and non-intervention. The dissonance between ethical ideals and practical realities can cause significant stress for mediators. As Field (2011, p. 9) notes, there is often a gap between *"the ethical theory of mediation and the reality of its practice."* This gap not only creates professional stress but also raises questions about the legitimacy of the process. Classic debates in mediation ethics have long addressed this tension. For example, Riskin's grid of mediator orientations and other models highlight the spectrum from facilitative (non-directive) to evaluative (directive) intervention (Folger, 2020; Riskin, 1996; Brzobohatý, 2024; Menkel-Meadow, 1995). While Transformative mediation is firmly based on a non-directive approach, practitioners' real-life experiences suggest a more complex reality. Even Transformative mediators sometimes feel the urge to "do something" when conflict dynamics threaten party well-being or fairness.

This chapter explores these directive impulses of professionals in transformative practice, using a qualitative analysis of an expert panel session as the primary empirical source. The aim is to understand how experienced transformative practitioners perceive and manage their impulses to become directive, and what this reveals about mediation ethics in practice. Key ethical questions drive this inquiry: *Are directive impulses inherently problematic in Transformative mediation? Or can they be ethically managed and harnessed as signals for mediator self-reflection and reflective practice?* These questions are particularly relevant in certain situations. These include complex, high-stakes settings where power disparities, institutional constraints, or intense emotions heighten the ethical stakes of intervention. Astor (2007, p. 221) have noted that mediators face a conundrum – they *"cannot 'do' neutrality, nor can they do without it,"* because neutrality is both central to mediation's legitimacy and practically impossible to fully maintain. Feminist and critical perspectives have demonstrated that strict neutrality is often a myth (Astor, 2007; Douglas & Field, 2006; Field, 2011). It is demonstrably absent in mediation practice and can conceal underlying power operations. This internal contradiction leaves mediators in a state of *"constant destabilizing internal dissent"*, as Astor puts it (Astor, 2007, p. 221). My exploration takes these theoretical tensions into the real world of Transformative practitioners' reflections, providing an empirical window into how mediators and facilitators across cultures navigate the line between non-directiveness and ethical responsibility.

This chapter emerges from a panel session titled *Directive Impulses in Transformative Practice*, held in November 2023 at the international conference ***Current Directions in Transformative Practice*** in Brno, Czech Republic. The session brought together a diverse group of Transformative practitioners – **Judy Saul** (USA), **Basia Solarz** (Canada), **Peter Miller** (USA), **Christian Hartwig** (Germany), **Sharon Press** (USA), **Marko Iršič** (Slovenia), and **Łukasz Kwiatkowski** (Poland), who shared reflections from their respective cultural, institutional, and practical contexts. As the reader will see, they didn't leave abandoned. Other participants entered the discussion. Among others **Mia Bowers** (USA), **Carol Bloom** (USA), **Cherise Hairston** (USA), **Jody Miller** (USA), **Janet Mueller** (USA) or **Hélène Rouleau** (Canada). The discussion centered on the ethically charged question of how professionals working within a Transformative framework navigate the **inner tension** between maintaining a non-directive stance and the impulse to guide, protect, or correct. Throughout this chapter, I refer to the panelists by their first names: Judy, Basia, Sharon, Peter, Christian, Marko, Łukasz, or Mia, Carol, Cherise, Jody, Janet and Hélène. It is, I believe, in line with the dialogic spirit of the session. This stylistic choice also honors the format of the original conversation, where participants addressed one another informally and personally.

The panel conversation on directive impulses spanned roughly ninety minutes, generating far more insight than a single chapter can reasonably reproduce. Only a subset of remarks could be quoted here as illustrative examples, and some panelists' contributions, though not cited verbatim, were important. Their questions,

affirmations, and counterpoints catalyzed the reflections of colleagues whose words do appear in the text, shaping the thematic contours of the entire discussion. In that sense, every panelist's participation serves as an indispensable inspiration for the analysis that follows. Readers who wish to hear the full exchange are encouraged to view the complete recording, available on the Institute for the Study of Conflict Transformation (ISCT) YouTube channel.

This setting provided an opportunity to hear practitioners reflect on their inner ethical struggles, emotional responses, and decision-making processes when confronting directive impulses. By examining their stories and strategies, we can situate their experiences within broader mediation ethics debates. I deliberately chose to draw on scholarly perspectives from scholars who, in many cases, are not primarily identified with the Transformative tradition and hail from jurisdictions outside the United States. Transformative mediation discourse has long been shaped by a relatively small circle of U.S.-based theorists (most notably Bush and Folger, Della Noce). Their work remains foundational, but that concentration can unintentionally narrow the horizons of ethical debate. By foregrounding insights from writers such as Rachael Field (Australia), Hilary Astor (Australia), Nigel DeSouza (Canada), Susan Douglas (Australia), and Jonathan Hyman (United States but writing from a moral-psychology perspective beyond transformative circles), I aim to open Transformative theory to a wider professional conversation. Drawing on contextual ethics, relational critiques of neutrality, therapeutic jurisprudence, and moral-foundations theory invites fresh angles on familiar dilemmas, while also placing Transformative practice in dialogue with cognate approaches across cultural and legal settings. This intentional cross-pollination is meant to "level" our own habitual impulses, unsettle settled assumptions, and generate new perspectives for dialogue. This way, I believe, is possible to enrich both the Transformative field and the broader mediation ethics discourse. In doing so, I aim to bridge the gap between abstract ethical principles and the contextual, nuanced reality of mediator practice. I do acknowledge that strict rules like absolute impartiality may be *"unrealistic and unreliable"* in guiding real decisions (Field, 2017, p. 303). Instead, I adhere to more contextual ethics of mediation, one that upholds party self-determination as a guiding star but allows mediators to engage with the relational and situational complexity of each case. This chapter's findings contribute to that evolving conversation by illuminating how Transformative mediators themselves interpret and enact their ethical commitments when they feel the pull to direct.

In the sections that follow, I first outline the methodology of my qualitative, reflexive thematic analysis. Then I present the findings organized by the major themes that emerged from the panel transcript, following the structure of the thematic analysis. Seven interrelated themes will be discussed: (1) the **core ethical tension** between directive impulses and party self-determination; (2) mediator **bias and self-absorption** as sources of directive impulses; (3) **power imbalances and systemic constraints** prompting intervention; (4) the **timing and framing** of mediator interventions; (5) **self-regulation and withdrawal** as an ethical action;

(6) **voice and choice** as the mediator's guiding compass; and (7) navigating the **systemic context** and institutional power. Throughout, verbatim quotes from the panel illustrate each theme. I then move on to a **discussion** that situates these findings within the broader ethical debates in mediation, highlighting points of consonance or tension. In particular, I consider how these practitioners' insights echo or challenge prevailing notions of neutrality, impartiality, cultural norms, and mediator responsibility.

2. Methodology

This study employed a qualitative reflexive thematic analysis to examine the full transcript of the panel session. Reflexive thematic analysis (RTA), as developed by Braun and Clarke (2006, 2019), is an interpretive approach for identifying and analyzing patterns (themes) across a dataset. It is well-suited for capturing both semantic content (what is explicitly said) and latent meanings (underlying ideas or tensions) in narrative data. Unlike codebook or positivist thematic approaches, RTA emphasizes the researcher's active role in theme development and the importance of context and researcher reflexivity (Braun & and Clarke, 2019; Byrne, 2022). I chose this approach to honor the complexity of the panel discussion and to allow deeper ethical nuances to emerge rather than forcing data into pre-existing categories.

The data consisted of a 90-minute recorded panel discussion transcribed verbatim. The panel featured eight experienced Transformative practitioners (identified here by first name: e.g., Basia, Judy, Sharon, etc.) discussing real cases and personal experiences. The participants hailed from different cultural contexts (North America, various European countries), which added a cross-cultural dimension to the data. The transcript was treated as a single data corpus rather than fragmented by speaker. That is in line with qualitative principles that emphasize maintaining contextual continuity across contributions (Nowell et al., 2017). This means I analyzed the flow of conversation and how panelists built on or contrasted with each other's points.

Following Braun and Clarke's methodology, I undertook the six phases of thematic analysis (Braun & and Clarke, 2006; Clarke & Braun, 2014). In **Phase 1 (familiarization)**, the researchers immersed themselves in the data by reading the entire transcript multiple times and listening to the original recording. This familiarization included noting initial impressions and emotional tones. For example, I noted points in the discussion where multiple mediators voiced agreement (e.g., humming in assent) or where the mood shifted to laughter or seriousness. I also documented my own reactions and questions to track how my understanding evolved (Byrne, 2022). In **Phase 2 (generating initial codes)**, I systematically worked through the transcript to highlight segments of interest and assign *codes*. Codes

are succinct labels capturing the essence of each segment relevant to my research questions. Coding was done manually and iteratively: for instance, an early code called "feeling need to protect party" was applied to several different stories, as was a code "stepping back/self-restraint." I approached coding with a reflexive mindset. That means I did not use a pre-set codebook but allowed my understanding of codes to evolve as I read more of the data and reflected on it (Braun & and Clarke, 2019). I paid attention to both what mediators *said* (explicit remarks like *"I felt I had to do something"*) and what this *meant* in context (e.g., an implicit theme of feeling responsible for fairness).

In **Phase 3 (searching for themes)**, I began collating codes into larger candidate themes. For example, codes related to mediators' emotional reactions (feeling angry, anxious, sympathetic) and codes about bias were grouped into a potential theme about the mediator's "self" influencing impulses. I used tables to cluster related codes, always returning to the raw quotes to ensure coherence. **Phase 4 (reviewing themes)** involved refining these candidate themes against the data. I checked that each theme was supported by sufficient data and that the themes were distinct. At times, this led to re-organizing. For instance, I initially had one broad theme on "Ethical challenges of neutrality" that was too vague; it was refined into more specific themes like *power imbalances* and *systemic constraints* versus *internal biases*. I also identified relationships between themes, deciding on a logical ordering (from the internal, personal level to the external, systemic level, for example). In **Phase 5 (defining and naming themes)**, I wrote detailed theme definitions and decided on illustrative quotes. Braun and Clarke (2022) emphasize that themes are analytic outputs, not just summaries of data. Using this approach, I sought to articulate **the central organizing concept** of each theme. For example, the theme I call *"Intervening Against Injustice"* centers on the concept of the mediator as responding to power imbalance. I ensured my name or label reflected that ethos. Finally, **Phase 6 (producing the report)** is reflected in this chapter. I combine narrative analysis with selected quotes to present each theme with academic rigor and illustrative richness.

An RTA assumes that the researchers' own backgrounds and assumptions shape the analytic process. I approached the data from a social constructionist–interpretivist paradigm (Lincoln & Guba, 1985; Pervin & Mokhtar, 2022). This means I view the mediators' accounts not as objective facts to be measured, but as *constructions of meaning* situated in particular contexts. My goal was not to produce a single "objective" truth but to develop a rich, credible interpretation of how directive impulses function in Transformative practice. To support trustworthiness, I employed several strategies: (a) **Prolonged engagement with the data** (through repeated readings and iterative coding) to ensure I wasn't jumping to conclusions; (b) **Triangulation of perspectives** within the panel – since multiple practitioners discussed similar scenarios, I looked for both convergence and divergence in their views to form robust themes; (c) **Preserving original language** of the panelists – all quotes are presented verbatim (with only minimal ellipses for conciseness). I avoided paraphrasing the quotes in my analysis write-up so as not to dilute the speaker's intended meaning.

My use of the literature in the Discussion section serves as a form of theoretical triangulation, checking whether my findings align with or contradict established concepts in mediation ethics.

3. Findings: Thematic Analysis of Directive Impulses in Practice

Through the RTA, **seven interrelated themes** emerged, capturing how transformative practitioners experience and respond to directive impulses. These themes range from the inner ethical dilemmas mediators face, to the strategies they use in timing their interventions, to the broader systemic contexts that shape their choices. The themes are presented below in a logical progression. I begin with the fundamental **ethical tension between directive action and party self-determination**, which underpins all other themes. I then examine how mediators' own biases and emotions can generate impulses (**Theme 2**), and how **power imbalances or systemic pressures** can externally provoke a need to intervene (**Theme 3**). Next, I explore mediators' careful attention to **timing and framing of interventions** (**Theme 4**) and, conversely, the discipline of **self-regulation and even withdrawal** when necessary (**Theme 5**). The later themes broaden the lens: **Theme 6** discusses how **voice and choice** (the core values of Transformative mediation) serve as an internal ethical compass for mediators, and **Theme 7** addresses the challenges of navigating within **institutional and systemic constraints**. Each theme is illustrated with direct quotes from the panelists. For clarity, I attribute each quote with the speaker's name from the panel.

3.1 Theme 1: Ethical Tension Between Directive Impulses and Party Self-Determination

3.1.1 Definition of Theme

This theme captures the central ethical dilemma Transformative mediators grapple with: the internal impulse to take directive action versus the commitment to support party self-determination. It reflects the ongoing balancing act mediators perform when they *feel they "should do something"* in a difficult moment, yet worry that doing so might undermine the parties' autonomy. Across the panel, practitioners described scenarios that triggered an urge to intervene, such as intense emotional outbursts, perceived injustice or bullying, or power imbalances in the room. They also question whether acting on that urge would violate the Transformative principle that parties are in charge of their process. This theme surfaces the mediators' ethical dilemma: weighing the potential benefit of intervening (e.g., ensuring safety,

clarity, or fairness) against the potential cost (imposing their own judgment or agenda on the parties). It's about constantly interrogating not just *"what"* and *"how"* to intervene, but *"why" – Is my intervention truly serving the parties' process, or is it serving my own discomfort or bias?*.

3.1.2 Illustrative Reflections

Many panelists addressed this tension directly. For example, *Basia* confessed that when she feels a directive impulse, *"it's really believing that perhaps I have the better idea or I know what needs to be done. But even underneath that is some lack of confidence in the innate capacity of people... So it's losing touch with that basic trust of ... their capacity and their motivation."* In this remark, Basia recognizes that her urge to direct stems from a momentary lapse in faith in the parties. She links her impulse to a subtle arrogance (*"I have the better idea"*) and to a doubt in the parties' abilities. This insight reflects a profound ethical self-awareness: the mediator's internal state (confidence vs. doubt in the parties) directly affects the ethical stance. Basia's comment implies that staying true to Transformative practice requires *maintaining trust* in the parties' competence, even when the mediator feels anxious about the direction of the session.

Similarly, *Judy* shared a "red flag" moment for her: *"As soon as I find myself thinking, how do I get him to stop shouting? ... Then there's some part of me that realizes, uh oh... better take a breath here."* Judy's narrative illustrates an impulse arising in real time (the desire to stop a participant from shouting, which is a directive impulse to control behavior). Her ethical training kicks in as an *inner voice* telling her to pause (*"take a breath"*). That pause serves as a micro-ethical decision point where she can refrain from an unreflective reaction. Judy's story highlights the importance of self-monitoring (catching oneself in the thought *"how do I get him to…"*). It is also a reminder for practitioners that using simple techniques (a literal breath) restores their commitment to non-directiveness. It shows that *recognizing the impulse* is half the battle; once recognized, they can choose not to follow it.

Sharon vividly described feeling *"on the horns of a dilemma… that there are ethical issues on both sides pulling at me, and that I feel like I need to do something."* This metaphor of being on the horns of a dilemma captures the sharp nature of the choice: do nothing and possibly allow harm or unfairness, or do something and possibly compromise neutrality? Sharon acknowledges *both sides have ethical pull*. One horn is the value of party self-determination (don't interfere), the other horn is the value of protection or fairness (do something to help). Her honest statement *"I feel like I need to do something"* emphasizes how visceral and urgent the impulse can feel, even as her ethical reasoning is split. She labels both inaction and action as having *"ethical issues,"* refuting any simplistic view that non-intervention is always ethically safe or that intervention is always ethically suspect. Transformative practitioners thus occupy a space of ethical ambiguity where either choice can be questioned.

The panelists agreed that simply having a directive impulse is not *inherently* unethical. What matters is how they evaluate and respond to it. In other words, the presence of an impulse serves as a signal for mediator self-reflection rather than an automatic trigger for action. As *Janet* put it later on: *"My directness is directly related to my own weakness and self-absorption... I get unclear, I get defensive... but that awareness helps me in those moments... to let go."* (This quote will be discussed more in Theme 2, but it's relevant here in showing the link between awareness and the choice to *"let go"* of the impulse.)

3.1.3 Synthesis with Literature

The tension described in Theme 1 resonates with mediation ethics scholarship. Douglas (2012, p. 26), for instance, found in empirical research that mediators often feel *"uncomfortable in limiting their interventions to process when an imbalance of power was evident,"* expressing *"doubt and dissatisfaction"* with a strict directive to remain hands-off in the face of obvious unfairness. This aligns with Sharon's *"horns of a dilemma"* – mediators feel ethically torn. Moore's classic observation summarizes it: *"The mediator... is ethically barred from direct advocacy for the weaker party, yet is also ethically obligated to assist the parties in reaching a relatively fair, acceptable, and durable agreement"*(Moore, 2014, p. 368). Our panelists' reflections confirm this double bind. They do not take their directive urges at face value, but neither can they fully ignore them, because doing nothing can also carry ethical consequences (e.g., allowing a process that one party experiences as oppressive). Field's notion of **contextual ethics** is relevant here. She argues that mediation ethics must move beyond abstract rules (like "always be neutral") to consider the relational context (Field, 2011). The mediators in the panel session are effectively engaging in contextual ethics on the fly. They ask: *in this context, would doing something or doing nothing better uphold the parties' true self-determination?*

Hillary Astor's critique also comes to mind: neutrality's contradictions mean mediators *"cannot do neutrality, nor can they do without it"* (Astor, 2007, p. 221). Theme 1 is the lived experience of that paradox. The panelists are striving to "do neutrality," but are confronted with moments where neutrality feels like complicity. The mere fact that they have these impulses (and sometimes act on them, as later themes will show) supports Astor's point that true neutrality is demonstrably absent in mediation practice. The Transformative ethos provides practitioners with a strong counter-weight: an almost principled hesitation, a voice reminding them of the long-term value of non-directiveness.

Theme 1 thus establishes the foundational ethical balancing act in transformative practice. It underscores that ethical practice is not a fixed point but a *dynamic navigation* between competing values. Transformative mediators continuously ask themselves: *Will this intervention support or undermine party empowerment?* This question becomes the yardstick for judging each impulse. The following themes

delve into specific sources of directive impulses and specific strategies mediators use to manage them, but this first theme remains as a backdrop: the ever-present tension that underlies every moment of choice in the mediation.

3.2 Theme 2: Bias and Self-Absorption as Sources of Directive Impulses

3.2.1 Definition of Theme

Theme 2 examines how a mediator's own internal state, such as personal biases, emotions, ego, and triggers, can generate directive impulses. The panelists were clear that often the urge to intervene does *not* come from the parties' interactions, but from the mediator's own emotional reactions. In other words, sometimes mediators feel compelled to direct because *they* are uncomfortable, angry, scared, or overly sympathetic, rather than because the parties truly require intervention. This theme highlights a latent ethical hazard, which is self-absorption. When mediators get caught in their own feelings or judgments, they risk losing sight of the parties' autonomy and inadvertently make interventions that serve the mediator's emotional needs (e.g., to regain a sense of control or to alleviate empathic distress) instead of the parties' process. Key to this theme is the role of self-awareness. Recognizing one's biases and emotional reactions is crucial to preventing those internal states from dictating one's actions. Panelists stressed that being unaware of one's own bias is what makes directive impulses dangerous. Conversely, humility about one's fallibility can protect against unethical directing. Ethical integrity is often tested not by the conflict in front of us, but by the mediator's inner terrain.

3.2.2 Illustrative Reflections

Many of the discussion's most reflective moments centered on mediators admitting their own mistakes or vulnerabilities. *Cherise* recounted a past case: *"I was totally biased toward the... young lady that was hit and I made... I felt [I was] directing because I didn't do any reflection with the young lady that was crying... and that was terrible. And this is many years ago, and I feel bad about that."* Here, Cherise confesses that her sympathy for a vulnerable party led her to intervene on that party's behalf without proper reflection. She uses strong language (*"totally biased," "that was terrible"*) indicating that in hindsight she recognizes how her personal alignment with one side caused her to lose neutrality. Cherise also pinpoints lack of reflection in the moment as the culprit. She *"didn't do any reflection"* and thus acted on bias. This admission underscores how a mediator's good intentions (caring for a hurt party) can slide into *advocacy or partiality* if not checked by self-reflection. Her enduring remorse (*"many years ago, and I feel bad"*) speaks to the ethical weight mediators carry when they feel they have failed their ideals. It also

highlights the learning process: such experiences prompt mediators to be more vigilant of their biases in the future.

Janet offered a more general self-analysis of how her emotional reactivity correlates with directiveness: *"My directness is directly related to my own weakness and self-absorption. When my buttons are pushed in the room – I get unclear, I get defensive, I get suspicious – then my judgment comes out of me more strongly."* This quote is a powerful piece of reflexivity. Janet links her moments of directive behavior to her personal emotional state, labeling it *"weakness and self-absorption."* She describes getting *"unclear"* (losing clarity of purpose) and *"defensive"* and *"suspicious"* when triggered. In those states, her judgment (as in judgmental attitude or desire to judge the situation) "*comes out... more strongly*," leading to directiveness. This is practically a checklist of mediator internal warning signs: defensiveness, loss of clarity, suspicion. If she feels those, she knows she's at risk of imposing herself. The honesty in words like "self-absorption" is noteworthy. It suggests that mediators must confront the ego dimension: wanting to *be right*, to *solve*, or to *have one's way* can lurk even in well-meaning practitioners. Janet's solution implied in her statement is that *awareness* of this linkage *"helps me… to let go"* (from her other quote in Theme 1).

Another panelist, *Basia*, contributed a related insight: *"... perhaps I have the better idea... some lack of confidence in the innate capacity of people... losing touch with that basic trust of... their capacity and their motivation."* (This was also cited under Theme 1.) Basia directly ties a directive impulse (*"I have the better idea"*) to a lack of trust in the parties. This highlights a subtle bias: the assumption that the mediator knows better. Transformative mediators are trained to reject this assumption, but under stress or doubt it can creep back in. Basia frames it as *"losing touch"* with trust, implying trust is the default ethos that one must hold onto. When trust falters, the mediator's *ego* (*"I know what needs to be done"*) fills the void, and directiveness follows.

Mediator biases can take many forms: bias toward a person (as with Cherise favoring the crying victim), bias toward one's own solution (Basia's "better idea"), or bias in the form of emotional investment and ego (Janet's self-confessed weakness). Each form can be a source of impulses that, if unchecked, lead away from true party-driven process.

3.2.3 Synthesis with Literature

The panelists recommended developing habits to combat this. One recurring strategy was cultivating a sort of inner dialogue or mindfulness. For instance, Judy's *"uh oh, take a breath"* (from Theme 1) is one example of catching oneself. I later suggested a mental self-questioning: *" ... monitor yourself. Why am I going to intervene? What is the reason? What is the impulse? Is it because I see some opportunity, or something else?"*. By asking these questions internally, mediators can discern if the impulse is grounded in the parties' interactions (*"some opportunity"* for them)

or *"something else"* (perhaps *my* frustration or desire for progress). This reflective practice aligns with recommendations by ethics scholars for mediator reflexivity. Astor (2007) argues that mediators should *acknowledge their own perspectives*, including cultural, personal, and professional influences, and actively understand their impact on practice. Rather than pretending to have no biases, mediators improve practice by recognizing those biases and managing them. One approach Astor notes is borrowed from cross-cultural mediation. Mediators working across cultures often engage in "conscientization," a process of building awareness of self-in-context. This is precisely what our panel describes doing in the heat of mediation: building awareness of *"what part of me"* is being activated.

The mediators' experiences also echo **Moral Foundations Theory** considerations (Hyman, 2015). Hyman suggests that mediators (being human) have intuitive moral reactions – e.g., seeing harm can trigger a *care/harm* response, seeing cheating triggers a *fairness* concern. These automatic moral judgments can fuel bias. For example, Cherise siding with the injured young woman might be seen as her *care foundation* overwhelming neutrality. Hyman asks whether mediators should be aware of and manage these intuitive moral judgments. Panelists indicate that yes, practitioners must become aware of their moral intuitions (*"That's unfair!"*, *"This party is vulnerable!"*) as potential bias. The key is not that mediators suppress all moral intuition, but that they recognize it as *their* perception, not an objective mandate to act.

All the responses subsumed within this theme provide us with a clear message: ethical mediation begins with self-awareness. Directive impulses often serve as a mirror reflecting the mediator's own unresolved emotions or biases in the moment. Ethical Transformative practice, therefore, requires mediators to cultivate *humility* and *emotional regulation*. They must, in Janet's terms, own up to their *"weakness"* and not let it drive the process. This theme reinforces the importance of continuous self-scrutiny. It also sets the stage for the next theme: sometimes the impulse to direct comes not from within the mediator alone, but from the external power dynamics or systems surrounding the mediation.

3.3 Theme 3: Power Imbalances and Systemic Constraints Prompting Directive Impulses

3.3.1 Definition of Theme

Theme 3 shifts the focus from the mediator's internal triggers to external factors in the conflict context that can provoke a directive response. It explores how mediators grapple with impulses to intervene when they perceive significant power imbalances between the parties or systemic constraints that undermine a fair process. These situations include, for example, a dynamic where one party dominates the conversation, or cases where institutional actors (like lawyers, agencies, or organizational

hierarchies) impose pressures on the mediation. In Transformative practice, the ideal of party empowerment can clash with a reality where one party's voice is effectively stifled by power differences or procedural inequalities. Mediators then face an ethical question: *Should I step in to rebalance the interaction or address the injustice, even if that means being somewhat directive?* Unlike Theme 2's internally driven impulses, the impulses here are motivated by concern for the parties' equity and the integrity of the process. Panelists described these impulses as ethically charged in a different way. They see them not arising from personal ego, but from a *moral obligation to prevent harm or exploitation within the mediation*. However, such action can still conflict with neutrality, creating a nuanced distinction: when does a directive action stop being a violation of impartiality and start being a necessary "defensive move" to protect self-determination? The theme underscores that directive action, if rooted in defending party autonomy against structural or power-based threats, may be ethically justifiable – or even required – within a Transformative framework, provided it is done transparently and cautiously.

3.3.2 Illustrative Reflections

The panelists recounted instances where they felt they had to intervene due to power dynamics. *Carol* shared a case involving a government agency: *" ... the attorney for the Transportation Security Administration (TSA) was present in a very authoritarian... role. And it really cast an imbalanced nature to the interaction... I felt complicit in continuing a kind of pretend voice and choice... My choice was to not take those cases anymore."* Carol describes a situation with a TSA attorney dominating, which is a clear structural power presence. She uses strong words: the process had a *"pretend voice and choice,"* implying that any appearance of party empowerment was illusory under that power imbalance. Feeling *"complicit"* suggests she felt that by mediating under those conditions without intervening, she was perpetuating a facade of fairness. Carol's ethical solution was ultimately to withdraw her services from such cases (*"not take those cases anymore"*), an extreme form of intervention, essentially an exit, which we will see more of in Theme 7 (systemic constraints) and Theme 5 (withdrawal as ethical action). Her account highlights that sometimes the entire context is so power-laden that a mediator judges authentic self-determination impossible. The mediator's ethical action might then be to refuse to partake in a sham process. This is a strong stance, reflecting an ethic of refusing complicity in oppression.

Sharon provided another example, possibly from a human rights mediation context: *"... there were that many of them... the police chief, the police officer, the attorney for the city... and she didn't actually understand the impact of how the two cases might be tied together... I began to get very concerned around that."* Sharon paints a picture of one side of a mediation table filled with powerful figures (multiple representatives of law enforcement and city government) versus an individual on the other side ("she" who doesn't understand the connection between cases). This is a multi-party power

imbalance scenario. Sharon *"began to get very concerned"* which likely spurred an impulse to do something to level the field or ensure the lone party was not bulldozed. Her concern suggests an ethical duty she felt to address the information asymmetry (the person not understanding the linkage of cases) and the sheer imbalance in representation. While Sharon's quote stops at expressing concern, it implies she would consider intervening (perhaps by educating the party or pausing the process). This demonstrates how contextual knowledge (she sees a problem the party doesn't), combined with power disparity, triggers the mediator's protective instinct.

Jody took a broad view: *"... we are working within systems that have impacts, real life impacts for people... it's not just about our theory... We have to think through how this process works with that system and what, if anything, we need to do to not further harm..."* Jody explicitly acknowledges that transformative practitioners cannot be blind to systemic context (*"not about our theory or understanding that"*). This is a subtle critique. Transformative theory might emphasize empowerment and recognition in the room, but Jody reminds us that outside realities (legal consequences, organizational decisions) flow from the mediation. The phrase *"not further harm"* echoes the medical ethic of *non-maleficence* (Bronzino, 1992; Bufacchi, 2020; John & Wu, 2022). She implies mediators might need to take action (or at least consciously evaluate the need for action) to ensure the mediation process itself does not inadvertently cause harm by, say, rubber-stamping an unjust status quo or pressuring a vulnerable party to agree. Jody's perspective is that ethical transformative practice includes a systemic literacy. That include understanding how the mediated outcome or process will interface with external systems, and taking responsibility to ensure the mediation isn't a tool of oppression. What remains unclear is whether it could include interventions like ensuring informed consent, bringing in missing information, or adjusting the process format.

Judy added a normative statement: *"... we as practitioners have to be careful that our processes are not used to further oppress... If it's used to exploit people then it's not [true dialogue]... A minimum is that people need full understanding of what they're getting into..."* Here, Judy is essentially drawing an ethical red line. Mediation or dialogue, if used as a cover for exploitation (for example, powerful entities forcing vulnerable parties into "agreements" to waive rights), is no longer genuine dialogue or ethical mediation. She insists on at least ensuring informed consent and understanding as a practitioner's responsibility. This often means the practitioner might have to step out of a pure facilitative role momentarily to *explain* or *clarify* the implications to a party (ensuring they understand their choices, rights, etc.). While such an explanation is a form of directive input (adding content to the discussion), Judy frames it as ethically necessary to prevent oppression. This aligns with professional standards that often require practitioners to ensure parties are informed (e.g., about their right to consult lawyers, about the nature of an agreement). It's a reminder that neutrality does not mean silence in the face of ignorance. Transformative practitioners, while not giving advice, should still not allow a party to proceed under serious misunderstandings.

It looks like panelists suggest that Transformative practitioners sometimes need to *bend non-directiveness* in service of higher ethical principles like fairness, justice, and autonomy. They reframed directive actions not as breaches of neutrality but as defensive moves to preserve the possibility of self-determination. For example, Peter (whose quote appears later) argued that if someone's ability to exert self-determination has been *"robbed"* by circumstances, a mediator stepping in could actually be *supporting* self-determination rather than removing it.

3.3.3 Synthesis with Literature

The panel's stance resonates with critiques from critical and feminist mediation scholars. Richard Abel and Carrie Menkel-Meadow have warned that mediation in certain contexts can "co-opt resistance" and serve as a tool of social control, especially if neutrally applied without regard to power disparities (Abel, 1982; Menkel-Meadow, 2018). Our findings show that Transformative practitioners are aware of this risk and are actively trying to avoid being passive instruments of oppression. In fact, one could view Carol's refusal to mediate the TSA cases as an act of resistance to co-optation: she chose not to lend legitimacy to a procedurally unfair setup, echoing Menkel-Meadow's concern that without attention to context, ADR might simply entrench power (Menkel-Meadow, 2018).

Susan Douglas (2012, p. 38) analyzed how different mediation models address (or fail to address) substantive fairness. She notes that problem-solving mediation relies on procedural fairness and party consent to assume justice is done, but that power imbalances can yield *"outcomes that are not substantively fair though consented to"*. Transformative mediation, while valuing empowerment, does *"not provide a practical answer to imbalances of power between parties,"* Douglas argues. Our practitioners seem to be crafting their own practical answers: sometimes intervene (Theme 3), sometimes withdraw, sometimes increase transparency (both Theme 7), all in efforts to address those imbalances. This indicates an evolution of Transformative practice. Practitioners are integrating a critical ethics lens into their work, even if the model's pure theory didn't spell out those moves.

Judy's emphasis on informed consent and not allowing exploitation also aligns with Field's contextual ethics approach, which puts party self-determination at the center but recognizes the need for mediators to ensure the conditions for genuine self-determination are met. Rachael Field calls for an ethical paradigm where mediators attend to power relationships and context to support self-determination in a meaningful way (Field, 2017). The panel's discussions on power imbalances are a concrete manifestation of that paradigm: they are not abandoning self-determination; they are guarding it more *actively*.

Practitioners also see cross-cultural dimensions. Power issues may be more pronounced or interpreted differently across cultures. For instance, *Hélène* (from Canada) mentioned a saying, *"violence is a lack of words,"* to interpret aggressive behavior as a wordless cry for help. *Łukasz* (from Poland) noted that a dominating

party might unconsciously be asking for help through their dominance. These insights suggest culturally informed ways of reading power dynamics: what appears as aggression could be a request for intervention (*"help me"*). Such perspectives allowed these mediators to justify stepping in "to help the parties" find balance. Thus, cross-cultural experience can sensitize mediators to different expressions of power or anger, influencing when and how they intervene.

To conclude this part, I can say mediators do not operate in a social vacuum. Theme 3 shows that when external power dynamics threaten the core promise of mediation (voluntary, informed, uncoerced participation), even transformative practitioners feel ethically impelled to act. They might directly intervene to support self-determination (e.g., by helping the quieter party gain voice – more on this in Theme 4), or they might intervene in the process by halting or exiting. They reframe such interventions as being in line with transformative values because they protect the authenticity of the parties' decision-making. This challenges a simplistic view of neutrality. It suggests that non-intervention is not always neutral. Sometimes non-intervention allows external power to dictate outcomes, which is itself a bias (a bias toward the status quo). That implies neutrality might need to be rethought to include attention to power relationships. The Transformative practitioners in this panel are, in effect, expanding their ethical understanding to reconcile empowerment with fairness, showing that supporting self-determination might sometimes mean intervening against imbalances.

3.4 Theme 4: Timing and Framing of Interventions – The Art of Staying Non-Directive

3.4.1 Definition of Theme

Theme 4 delves into *how* mediators intervene when they do decide some action is needed, emphasizing the timing and framing of those interventions to maintain alignment with transformative values. The panelists made it clear that deciding to intervene is not a binary direct-or-not scenario. *How and when* one intervenes can be the difference between an ethical, empowering move and a disempowering one. This theme highlights techniques and mindsets that enable practitioners to be helpful to the parties in setting a direction while *remaining non-directive in spirit* themselves. Key concepts include waiting for natural pauses or "chapters" in the conversation to intervene (so as not to interrupt the parties' flow), using tentative language and offering suggestions as invitations rather than instructions, and reflecting process (what is happening between the parties) instead of imposing content or solutions. The practitioners treat timing as a *moral skill*. A well-timed intervention feels supportive, whereas a poorly timed one feels controlling. Similarly, the way you frame something, whether you pose it as a question (*"How is this working for you?"*) versus a directive (*"I need you to stop and listen"*), determines whether

the parties still feel they own the process. The theme affirms that non-directiveness is not the same as inaction or silence. Transformative practitioners are very much *active*, but their activity is in service of fostering dialogue rather than leading it. They use presence, timing, and careful wording. As *Marko* summarized, the mediator's job is *"finding the right time and the right space to intervene. Not to direct, but to support the parties."*.

3.4.2 Illustrative Reflections

The panelists offered concrete examples of interventions that they felt upheld party autonomy. *Christian* explained a key lesson he learned: *"You don't just come in and interrupt their thought. You look for the patterns... [People] talk in chapters and that's where you come in."* Christian's statement describes the discipline of waiting for a chapter break. Rather than interjecting at the height of a party's emotional or narrative arc (which could hijack their momentum and feel like the mediator wresting control), Christian listens for a *conclusion of a thought or a natural lull* – a "chapter" – and uses that as an entry point. By identifying conversation patterns and pauses, the practitioner's intervention can feel like it fits the parties' narrative structure, rather than cutting across it. This approach requires patience and deep listening. It's also about timing that's ethically attuned. It shows respect for the party's speaking and indicates the practitioner values what each party is expressing fully before stepping in. It aligns with Bush & Folger's (2005) instruction that mediators should not impose structure but follow the parties. In practical terms, "talking in chapters" is a metaphor for how parties organically structure their conversation, and the mediator synchronizes with that.

Judy gave an example of how she might frame an intervention after noticing an imbalance in participation: *"I notice for the last 10 or 15 minutes you, Joe, have been talking a lot... and you, Bob, haven't said much of anything... How's this working for you? Is there anything you want to change here or keep going like this?"* This is a process reflection combined with a check-in question. Judy's phrasing is exemplary in its tentativeness and neutrality. She states an observation ("*you've been talking a lot and you haven't said much*") which is a fact-based description of the dynamic, not a judgment. Then she asks the parties how they feel about it and if *they* want to change it. By doing so, she places the control back in their hands. Importantly, she doesn't say, *"Bob, maybe you should speak up,"* which would be directive. Nor does she say, *"Joe, you need to let Bob talk,"* which would assign blame. Instead, *"How's this working for you?"* invites each to reflect on whether the dynamic is comfortable for them. It's possible Joe might say, *"I'm fine with it, I have more to say,"* and Bob might say, *"I'm okay listening for now."* In that case, Judy would presumably "keep going like this" as per their choice. Or Bob might admit he feels left out, giving Judy the opening to support him in a change. Either way, the *decision to change or not is made by the parties*, not the practitioner. This example demonstrates how framing a question is

a powerful tool. The practitioner introduces awareness into the room about the process without taking over the process.

Peter described a more assertive scenario but carefully justified: *"Standing up and leaning over somebody and screaming is not in itself a reason for me to come in. It's based on the other person's reaction... So I need to get into the conversation in order to check in... I'm usurping space... but it's to restore agency."* Peter notes that even dramatic behavior (*"leaning over and screaming"*) doesn't automatically compel his intervention. He watches the effect on the other party. If the other party seems intimidated or silenced, then he feels he *"needs to get into the conversation to check in"*. What's instructive is that Peter openly acknowledges usurping space when he intervenes. He is self-aware that yes, he is taking the floor (which normally belongs to the parties), but he frames the purpose as *"to restore agency"* to the party who might have been overwhelmed. This is a clear example of justifying an intervention by intent and framing. He may indeed interrupt (perhaps saying, *"I'm going to pause here for a moment…"* or physically interjecting), which is a directive act. But because he does it in response to a perceived loss of agency (relational weakness) by one party, and presumably then gives the floor to that party or offers them support, he views it as consistent with transformative goals. The sequence matters: he didn't intervene *to stop the yelling person because the yelling violates a civility rule* (that would be mediator-imposed content regulation). He intervened because the target of the yelling might be losing their voice, and even then, he likely "checks in" by asking the quieter person if they want a break or how they are doing, etc., rather than scolding the yeller. That way the focus is on supporting the quiet party rather than controlling the loud one. This nuance is how practitioners maintain ethical coherence in action.

Łukasz also shared a technique bridging beyond words: *"... sometimes it's helpful to pay equal attention to what is expressed beyond words... I try to reflect the silence or body language... It was empowering... also stopping the party who was speaking."* Łukasz here notes that non-verbal cues can be an opening for mediator intervention. He might say something like, *"I notice a lot of silence just now"* or *"I see some strong emotions in your face as you hear this."* By reflecting what's not being said, he addresses those who are not speaking. He mentions that doing so was empowering *and* it also had the effect of *"stopping the party who was speaking."* Importantly, he doesn't stop the talker by command, but by drawing attention to the silent other, which naturally causes the talker to pause. At the same time, it is the way how to support recognition shifts between parties. This subtle approach respects both parties. It doesn't shame the talkative person, it just gently shifts focus. and it validates the quiet person's presence. Łukasz found this effective precisely because it was *not* a direct "Stop talking now," but a reflective invitation that adjusted the flow.

Overall, the panelists converged on best practices: wait for the right moment, intervene with humility and tentativeness, frame observations neutrally, ask questions that give choice, and focus on process rather than content solutions. They repeatedly

used words like "check in," "invite," "suggest," and emphasized accepting "no" for an answer. Judy put it succinctly elsewhere: *"We make it tentatively and we accept no for an answer."*. This motto encapsulates the ethos of Transformative intervention: any move the mediator makes is an offer, not a mandate. If parties decline the offer (e.g., decline a suggested break, or don't pick up on a reflection), the mediator lets it go.

3.4.3 Synthesis with Literature

Timing and framing are not just techniques; they are how mediators operationalize respect. A poorly timed interruption can disempower (by cutting someone off mid-empowerment), whereas a well-timed one can enhance empowerment (by capping a heated exchange at a natural break to allow reflection). Framing influences perception: checking the possibility presented as a polite question can be perceived as support rather than pressure. This topic reveals a deep appreciation of attention to interaction as ethical behavior on the part of professionals. They devote *effort to the course of conversation or mutual interaction* so that it remains in the hands of the parties and potentially changes its quality for the better.

From a theoretical standpoint, this resonates with Bush & Folger's notion that the *micro-skill* of a Transformative practitioner is often in their careful language choices and timing. For instance, using summary and reflection instead of questions that lead or suggest solutions (Bush & Folger, 1994, 2005; Bush & Pope, 2002). *Marko* explicitly said he liked the "chapters" metaphor and reiterated the importance of *"being sensible to the process, finding the right time and space... Not to direct, but to support the parties."*. This essentially endorses the approach outlined above. Marko's comment reinforces that even for practitioners from diverse backgrounds, the principle is universal in Transformative practice: interventions must be interaction-sensitive.

We might view these practices through the lens of procedural fairness too. Douglas (2017) noted that problem-solving mediators emphasize procedural fairness (giving each party chance to speak, etc.), whereas Transformative mediators historically emphasize empowerment/recognition and are less inclined to enforce equal airtime. Yet, here we see Transformative practitioners indirectly *attending to procedural fairness* (e.g., Judy ensuring both parties have spoken). The difference is that they do it in a way that solicits the parties' own preferences rather than imposing a strict equal-time rule. This is a nuanced melding of procedural fairness with party self-determination. The practitioner brings attention to the imbalance (if it influences the quality of interaction) but then defers to the parties' wishes on how to address it.

Transformative practitioners are *active facilitators*, not passive observers. They intervene, but artfully, by synchronizing with the conversation's rhythm and by framing their interventions as collaborative invitations. This ensures that even when practitioners take an active role, the parties retain ownership of the process.

The result, as Marko said, is that non-directiveness is not passivity. It's a deliberate practice of timing and attunement. Mastery of this "art of intervention" allows practitioners to handle difficult moments (like intense conflict, silence, or dominance) without betraying the core ethic of party empowerment. It is an essential part of addressing directive impulses. Practitioners channel the impulse into a minimal intervention at just the right moment, often quelling the urge to do something more heavy-handed.

3.5 Theme 5: Self-Regulation and Withdrawal as Ethical Action

3.5.1 Definition of Theme

Theme 5 highlights the idea that sometimes the most ethically appropriate "action" a practitioner can take in response to a directive impulse is to not act further, or even to step away. In Transformative practice, the practitioner's *self-regulation* – their ability to monitor and manage their own emotional state and biases – is portrayed as a core ethical tool. It is about moments when practitioners realize that their presence or potential intervention might do more harm than good, leading them to pause, defer to the parties, or withdraw from the mediation entirely. It is about knowing one's limits and recognizing when the mediator's neutrality or effectiveness has been compromised (by internal judgment, fatigue, fear, etc.). In such moments, deliberately choosing inaction or termination is framed as an ethical decision, not a failure. The panelists implied that part of being an ethical practitioner is having the *courage to "know when not to act"*. This can manifest as calling for a break, ending a session early, or even referring the case elsewhere if one cannot continue impartially. It underscores that practitioner presence is not automatically beneficial. If the mediator cannot show up with the right mindset, stepping back protects the parties. Restraint and occasional removal of oneself are active elements of ethical practice, equal in importance to the acts of intervention described in previous themes.

3.5.2 Illustrative Reflections

Several practitioners described scenarios of self-regulation and withdrawal:

Mia recounted a scenario of reaching her limit: *"... I realized that I was no longer helpful... I was in a place of judgment... I needed to end the session for everybody involved. We shouldn't push through when we're recognizing that there's problems."* Mia's statement is a clear example of mediator self-awareness leading to withdrawal. She noticed she had shifted into a *"place of judgment"* – likely meaning she found herself judging one or both parties or the situation, which threatened her impartiality and supportive stance. Recognizing this, she concluded she was "*no*

longer helpful." Rather than continue a mediation where she might unconsciously steer or snap due to that judgment, she made the decision to *end the session*. This is a protective measure. It shields the parties from a mediator who is not at her best, and it gives her a chance to regroup (or potentially suggest a different mediator if the bias can't be overcome). Her advice *"we shouldn't push through when… there's problems"* suggests an ethic of *not forcing mediation to continue* just for the sake of completion. The well-being of the process and participants takes precedence over reaching an agreement that day. This is notable because many mediations, especially in court contexts, have pressure to reach resolution quickly. Mia's approach is to resist that pressure if ethical quality is compromised. Ending a session can be framed positively as *pausing to maintain integrity*, not as giving up.

Judy likewise mentioned limits on when she will mediate: *"... I won't do it… if the parameters aren't right... If it's used to exploit people then it's not dialogue... and I won't do it."* Judy's stance is that she will refuse or withdraw from facilitations that are set up in a way she deems unethical (echoing her earlier quote in Theme 3 about not furthering oppression). By "parameters," she might mean power imbalance, or the contextual setup (for instance, if the meeting is intended to cool down people, etc.). If such foundational issues aren't resolved, she opts not to proceed. This is a form of ethical gatekeeping. Judy is effectively saying that the mediator or facilitator has a responsibility to ensure a fair context. If she cannot ensure it, the ethical choice is not to mediate or facilitate under those conditions. This aligns with professional ethics, which state that mediators should decline cases where they cannot remain impartial or where mediation would be inappropriate due to capacity or safety concerns. It's also reminiscent of Astor's recommendation for mediators to have a new approach that acknowledges they can't be neutral and might have to deal with power (Astor, 2007). One way to "deal with power" is sometimes to decline a case that is too power-imbalanced if it cannot be remedied.

Janet talked about *awareness helping her "let go"* in moments of directiveness (as noted in Theme 2). This letting go can be interpreted as letting go of control, which often means remaining silent or stepping back instead of intervening. For example, if she notices her *"judgment coming out"*, she might intentionally hold back any comment she was about to make. This is subtle self-regulation: choosing *inaction* in the moment. It's harder to quote directly because it's the absence of a quote but Janet's reflection earlier that awareness *"helps me… move through that and let go"* implies an internal process where she releases the impulse and refrains from acting on it.

Cherise also hinted at self-monitoring. After her story of a biased intervention, she said monitoring biases is crucial. So presumably, now she would *stop herself* if she noticed similar favoritism arising, rather than act on it.

Another aspect under this theme is post-session reflection. *Mia* noted: *"It's easy to think about it after the fact: oh, maybe I shouldn't have done this... but we also need to notice in the moment."*. This speaks to the interplay of reflection and self-regulation. Practitioners often realize after a session that a certain action was misjudged.

Those learnings feed into better self-regulation next time, "in the moment." Continual growth in self-awareness is implied.

3.5.3 Synthesis with Literature

Why is withdrawal or non-action considered ethical action? Because it prioritizes the parties' needs and the process integrity over the mediator's ego or external pressures. In Transformative practice, especially if the practitioner cannot uphold the model's principles, stepping out is more faithful to the model than continuing in a distorted way. It also resonates with the value of humility, acknowledging one's limits.

This theme is supported by ethical standards, which often counsel mediators to suspend or terminate mediation if they feel the process is no longer productive or safe or if they are not impartial. For example, many mediation codes say that if a mediator feels unable to remain impartial, they must withdraw. Our panelists' experiences flesh out that scenario in human terms – feeling judgment or discomfort is a sign.

Additionally, burnout and emotional exhaustion were hinted as reasons to possibly step back. One can imagine emotional exhaustion in a general sense that one's presence is compromised by it. Practitioners recognized they are human. If they are too drained or triggered, they cannot provide the ethical presence required. Thus, a break or handing the case to someone else can be an ethical decision.

We can draw a line to Bush and Folger's teachings (1994, 2005). They emphasize the importance of the mediator's *personal capacity* to stay in the Transformative frame. If a mediator is pulled out of that frame (by bias, etc.), the mediation risks reverting to a different model (directive or evaluative). So, one could say that a mediator ending a session when they can't stay true to the Transformative approach is actually upholding the fidelity of the model. Bush & Folger might add that, ideally, practitioners cultivate a stance to handle these feelings, but in reality, stepping away when needed is wiser than muddling through in a non-transformative way.

Theme 5 reframes non-intervention as an active ethical choice. It complements earlier themes. Where Themes 3 and 4 showed practitioners intervening to address issues, Theme 5 reminds that sometimes the best intervention is no intervention at all or a strategic retreat. Ethical practice involves *protecting the space* for party self-determination, and sometimes the mediator's presence might be what threatens that space (if they're biased or the context is wrong). Thus, the wise practitioner is prepared to remove themselves or temporarily exit to ensure the parties' process remains their own. We can say that *ethical practice is as much about knowing when **not** to act as it is about intervening well*.

3.6 Theme 6: Voice and Choice as Mediator Orientation and Ethical Compass

3.6.1 Definition of Theme

Theme 6 centers on the foundational Transformative principles of voice and choice. What is meant by that is that each party has the ability to express themselves and make decisions. These principles serve as the practitioner's guiding ethical compass in moments of uncertainty. The practitioners repeatedly indicated that when they are unsure about an intervention, they return to a simple question: *"Will this support or restrict the parties' voice and choice?"* If an action (or inaction) will expand the parties' opportunity to speak, be heard, or decide for themselves, it is likely in line with transformative ethics. If it will diminish those opportunities, it's likely problematic. This theme underlines that *party empowerment (voice) and self-determination (choice) are not just goals, but active criteria* mediators use to measure the rightness of their moves. Voice and choice thus function as a North Star: an "ethical anchor" that keeps practitioners oriented amid the push and pull of impulses.

Moreover, Theme 6 differentiates between influence versus imposition. Practitioners acknowledge they inevitably have some influence by being in the room, but they strive to ensure any influence *expands* the parties' range of options rather than narrows it. In practice, this means mediators intervene (or refrain) with the explicit intent to bolster the parties' ability to articulate their perspectives and decide their outcomes. The theme also implies a certain trust in the process: giving primacy to voice and choice means practitioners resist the temptation to steer towards what *they* think is a better outcome (even if that temptation is in the name of fairness or efficiency). Instead, they trust that maximizing the parties' own agency is the ethical course and often yields the most legitimate outcome for the parties.

3.6.2 Illustrative Reflections

The panelists explicitly invoked "voice and choice" as their purpose:

Judy declared, *"My direction is to support people in voice and choice. That's what I'm always doing... that's where our purpose and our premises come in so strongly."* This statement is basically a mission summary of a Transformative practitioner. Judy uses the word *"direction"* interestingly, implying the only direction she takes or gives is towards empowering the parties. By emphasizing "*always*," she signals that every intervention or non-intervention is filtered through this lens. It ties the day-to-day choices back to the fundamental purpose and premises of Transformative practice (which are empowerment and recognition). In effect, it's a mantra: when in doubt, ask yourself if what you're about to do supports voice and choice. If yes, proceed, if not, reconsider. Judy's strong alignment here suggests that this principle can override other considerations. For example, even if she personally feels discomfort with what the parties decide, she upholds their choice as paramount.

Basia contributed an example about decision-making: *"... it's a question of who decides what the impact should be. And I firmly believe it's the parties... they have the right to change their mind..."* Basia is touching on a scenario where maybe the mediator or someone else might think a certain solution or consequence is needed (*"the impact"*), but she asserts ownership of decisions lies with the parties. Even if parties contradict themselves or change direction (which can be frustrating to a practitioner or external stakeholders), Basia defends that as their right. This underscores choice. Not only the initial decisions, but also the evolving nature of choice as parties gain clarity. She signals comfort with non-linearity. Parties might say one thing and later change, and that's fine because it's *their process*. For a practitioner guided by voice/choice, consistency or logical progression is less important than the authenticity of the decision at each point. Basia's perspective likely helps her resist stepping in to "remind" a party of their earlier stance or push them to stick to it. Instead, she'd support the change of mind as part of their self-determination.

Peter echoed a justification used earlier: *"... if somebody has been robbed of the ability to exert self-determination, then I think I'm more supporting self-determination [by intervening] than removing it."* This was referenced before under Theme 3, but it's very pertinent here. Peter explicitly couches an intervention (which might seem to take control) as actually supporting choice. His use of *"robbed of the ability"* suggests scenarios like intimidation or severe power imbalance. In those cases, by stepping in, he believes he's actually *increasing* that party's voice or choice. This is the ethical litmus test for him. He's measuring his act by *does it add to their self-determination?* If yes, it passes muster. If an intervention would substitute his judgment for theirs, it would fail the test. Peter's clarity on this highlights how deeply ingrained the concept of self-determination is. It can even turn an apparently directive act into a servant of party autonomy if done carefully.

I myself introduced a triggering scenario: *"... you are witnessing the interaction where one... occupies all the time... and that's when my directive impulse starts to pop up... because this is not the conversation [we aim for]."* My reason for an impulse to intervene when one person hogs the floor is that it violates the principle of recognition in dialogue (*"this is not the conversation"* implies it's not truly mutual or dialogic). So my ethical compass triggers me to want to adjust that. Therefore, even the emergence of an impulse is interpreted through the lens of voice and choice.

Christian and *Hélène* also alluded to helping parties go through difficult expressions to eventually regain their voice. Hélène speaks about ugliness and transcending it, implying letting parties fully voice even anger or "ugly" feelings as part of finding their voice. She said: *"... maybe I have to see my role as helping them go through this ugliness to eventually transcend that..."*. That means she tolerates intense or unpleasant conflict talk because ultimately it might lead to a deeper, self-determined resolution. That is another aspect of supporting the voice. Not shutting down "ugly" expressions (like blame or venting) prematurely, because they might need to voice those to move on. Many facilitative mediators might hurry to tone

down negative emotions to reach a settlement, but Transformative mediators, guided by voice, allow it, intervening only to ensure it's productive, not destructive (and even "productive" is defined loosely as in, as long as parties are engaged and not physically unsafe).

3.6.3 Synthesis with Literature

The voice and choice principle is akin to a moral algorithm for transformative practitioners. It simplifies decision-making to a key point: *does it expand or contract party empowerment?* If practitioners keep that question central, it provides consistency to their actions. It is reflected in many training materials as well. For example, mediators are taught to avoid "we" statements ("Let's find a solution") because it usurps the parties' ownership. Instead, saying "What solutions do you want to explore?" keeps ownership with them. One of Bush and Folger's hallmarks is precisely to not use "we" but "you" to remind parties they are the deciders (Bush & Folger, 2005). This is exactly an application of voice/choice ethic.

In the literature, many have pointed out that different models have different definitions of mediator role: facilitative mediators aim for fairness and efficient settlement, transformative aim for empowerment and recognition (Brzobohatý, 2024; Bush, 2019; Folger, 2020; Menkel-Meadow, 1995). Theme 6 reaffirms that ethic explicitly: empowerment and self-determination (voice and choice) is the *metric of success* in Transformative practice, more so than settlement.

Rachael Field's work on self-determination as foundational also resonates. She argues for an ethical paradigm where party self-determination is the paramount guiding principle across models (Field, 2017). That is exactly what these mediators practice. They effectively say, *"if neutrality or other ethics conflict with self-determination, self-determination wins."* For example, intervening to address imbalance might violate strict neutrality, but they do it because it upholds the deeper principle of voice/choice.

By framing voice and choice as the internal compass, mediators also keep themselves in check. It's a defense against those biases and impulses from Theme 2. If a mediator had an impulse to direct because of personal discomfort, asking *"is this about their voice or my comfort?"* likely shows it's the latter, hence unethical to act on. It's a self-accountability question.

Theme 6 affirms the primacy of party empowerment as the measure of ethical action. It provides a unifying thread: whether dealing with bias, power, or any intervention, the practitioners cross-check it against the question of party voice and decision-making. This ensures consistency and fidelity to the Transformative framework. Voice and choice are not just abstract ideals; the panel shows they are live tools, invoked in their thought process and conversation, guiding everyday practice.

3.7 Theme 7: Navigating Systemic Constraints and Institutional Power

3.7.1 Definition of Theme

Theme 7 expands the scope beyond the particular session itself, examining how Transformative practitioners deal with systemic and institutional contexts that can shape or limit the Transformative process. It addresses situations where the session is embedded in a larger system, be it legal, organizational, or cultural, that imposes certain constraints or power dynamics. Examples include court-connected mediations with pre-set rules, workplace mediations under company policies, or community mediations involving government programs. These contexts can present ethical tensions. A practitioner might find that the way a case is referred or the expectations of an institution conflict with the Transformative approach of party empowerment. Theme 7 captures how mediators respond to such dilemmas. Panelists described strategies like refusing cases that are too co-opted by systemic agendas, reshaping the process transparently to fit transformative values, or speaking up about limitations so parties are not misled (informed consent at a broader level). Essentially, this theme is about practitioners being aware that mediation or dialogue doesn't occur in a vacuum and feeling a degree of responsibility for how the mediation/dialogue is used within those systems. It underscores a shift from focusing solely on individual party dynamics to also considering the ethics of the practitioner's role within larger social structures. The practitioners ask: *Is this process truly serving the parties, or is it serving someone else's institutional interest?* And if the latter, how can the practitioner ethically respond? By saying no, by adjusting the process, or by ensuring transparency so parties understand the context. This theme is somewhat a macro-level complement to Theme 3. While Theme 3 dealt with power imbalances in the room, Theme 7 deals with power structures outside the room that seep in.

3.7.2 Illustrative Reflections

Panelists discussed several relevant points:

Carol's TSA case again: *"... I felt complicit in continuing a kind of pretend voice and choice... My choice was to not take those cases anymore."* This was already mentioned, but here it illustrates refusal due to institutional context. The TSA mediation likely had the structure of a mandatory or bureaucratic process where an agency (TSA) was using mediation, perhaps to check a box. Carol perceived that voice/choice were only *"pretend"* in that structure, likely because the TSA held all the cards, or because outcomes were predetermined or limited. She used the language of *complicity*, which is strong: to continue mediating in that setup would make her an accessory to disempowerment. So she exercised an option often not talked about in mediation training: *case refusal or termination on ethical grounds*. This is an important stance. Practitioners are sometimes pressured to mediate/facilitate cases

referred by courts or agencies. Carol shows that one can draw a line if the system is fundamentally undermining the mediation's integrity. Her action also has an implicit protest element. By refusing, she sends a message that the process, as structured, is unacceptable. If more mediators did that, institutions might be forced to adjust practices (e.g., not have the authoritarian attorney present or change how they use mediation).

Let's look at Sharon's interpreter story. She mentioned *"the interpreter had a hard stop... and I was quite relieved... I didn't know what I was going to do. I was feeling extraordinarily uncomfortable with a lack of information, power imbalance, systemic issues going on..."*. Sharon describes a scenario where systemic issues (multiple agencies involved, linked cases, etc.) made the mediation extremely complicated and ethically uncomfortable for her. The interpreter's need to leave ("hard stop") essentially forced the session to end. That is an external factor that gave her an "out." She even says she was relieved by it, implying she might have been considering ending it due to those discomforts. She cites *"lack of information"*, *"power imbalance"* (tie to theme 3) and *"systemic issues"* (like cases tied together by bureaucracy). This shows how sometimes practitioners find themselves in over-constrained situations. Sharon's relief hints that practitioners sometimes feel trapped between wanting to serve the parties and an institutional momentum pushing things forward. A forced break or termination can be a relief because it frees them to regroup and possibly address those systemic issues (or get more info, etc.) before resuming. Sharon's candid admission of not knowing what to do underscores the complexity of systemic entanglements – they can overwhelm even an experienced mediator.

Jody's earlier quote fits here too: *"... most of us are working within systems... We have to think through how this process works with that system and what, if anything, we need to do to not further harm."* Jody explicitly calls practitioners to be systemically literate and critical. She acknowledges that none of us practice in a pure environment; whether it's court programs, community mediation centers, or organizational contexts, there are system goals and constraints at play (like timelines, outcomes expected, funding sources, etc.). Jody argues for conscious thought about how our process interacts with those external factors, and what practitioners might *need to do* (there's the proactive stance) to ensure the session isn't used in a harmful way. "Not further harm" echoes earlier points but in systemic terms – e.g., not letting an employer use mediation just to identify whistleblowers, or not letting a school use mediation to silence complaints without real change, etc. This might involve, for example, mediators insisting on certain ground rules or confidentiality protections, or refusing to provide outcome details to referrers, etc. Jody's perspective is very much that mediators must hold ethical guardrails even against institutional pressures.

Judy's emphasis: *"... at a minimum people need a full understanding of what they're getting into... Otherwise, I won't do it."* Judy here emphasizes informed consent in systemic context. If the system or program doesn't let practitioners ensure

parties truly understand the nature of the process, their rights, the consequences, etc., then it's ethically untenable. For instance, if a court orders mediation but doesn't clarify that parties can still go to trial if not satisfied, a mediator like Judy would ensure parties know that, or else she'd refuse to mediate. This is about transparency, one of the subthemes of this analysis. Judy essentially is saying she demands transparency from the system, or she will create it by informing parties. If that's not allowed, she steps out. This is crucial because many institutional mediation programs gloss over details to move cases along. Judy resists that in favor of ethical clarity.

My own insight in the discussion was: *"... it's not just about the voice and choice in the room... it's how our service is used... if it's misused from the beginning, it's our role to say no."* I broaden the view to how mediation service is used by systems. This is an explicit ethical stance that mediators have a duty not only to facilitate well *in the room*, but to consider *the purpose for which the mediation was convened*. If a company is using mediation just to delay a lawsuit or to tick a box, that's a misuse. My opinion is, if it's "misused from the beginning," mediators should decline ("say no"). This aligns with Carol and Judy's approach. It shows an ethical responsibility to the integrity of mediation itself – not letting it become a tool that actually undermines justice or self-determination beyond just this case. This is a bold ethical position, putting principle above convenience or even personal livelihood, since saying no to cases can have financial or career consequences. But it reflects commitment to transformative values beyond individual mediations, advocating for the *appropriate use of mediation as a process*.

3.7.3 Synthesis with Literature

Theme 7 is strongly connected to critiques of "mandated mediation" or "ADR's dark side" in literature. For example, scholars like Bush (2019) in his pluralistic ethics piece emphasize that different models serve different promises and that it's unethical to hold one model (like transformative) to the goals of another (like settlement efficiency). Our mediators are basically insisting on model integrity. They won't let Transformative mediation serve an incompatible goal. If an institution expects them to be evaluative or to guarantee a settlement, that violates their model's promise, so they resist. Astor mentions mediators should remain independent of government influence as part of neutrality reimagined (Astor, 2007). This fits with refusing to be an agent of an institution's agenda – maintaining a degree of independence to say, "No, I won't just do whatever the referring agency wants if it's against party empowerment." Field's *contextual ethics* (2017) encourages mediators to adapt their ethical approach to different contexts, but always to ensure party self-determination remains central. The panel's call for transparency and saying no to misuse is directly in line with upholding self-determination across contexts.

Transformative practitioners do not check their ethical compass at the door of institutional contexts. They actively navigate, and if needed, challenge, the systemic conditions under which they practice. They ensure that even in institutional

settings, the core values of Transformative practice are not hollowed out. This might mean *pushing back against institutions*, *educating parties about the limits of the process*, or *walking away from cases* that violate the spirit of genuine dialogue. Theme 7 highlights practitioner agency in a bigger social system. Practitioners are not just passive implementers of ADR programs. They are ethical actors who can influence how those programs operate by what they accept or reject.

4. Discussion

The foregoing seven themes together sketch a nuanced picture of how transformative practitioners experience and navigate directive impulses. These findings reveal an interplay of internal practitioner reflexivity, moment-to-moment ethical choices, and structural awareness that goes far beyond the simplistic notion of a practitioner being either "directive" or "not directive." Instead, practitioners portray their work as a constant ethical navigation, a dynamic balancing of values in real time.

Transformative ethics as constant navigation means, as our panelists confirmed, a recurring tension. The practitioner's drive to intervene vs. their commitment to empower parties (Theme 1). This fundamental tension aligns with what mediation scholars have long observed – that neutrality and intervention often pull practitioners in opposite directions, creating what Douglas (2012) called an internal *"dissonance"* in practice. Importantly, the panelists did not conclude that having directive impulses is inherently unethical. Echoing Field (2011) and others, they recognize that practitioners are human and that the ideal of perfect neutrality is practically unattainable. The true ethical question is not *"Do I ever feel an impulse to direct?"* but rather *"How do I respond when I feel that impulse?"*. In other words, it's the *origin, timing, and purpose* of the impulse – and the practitioner's management of it – that determines alignment with Transformative principles. An impulse arising from personal bias (Theme 2) might be a red flag to step back, whereas an impulse arising from a genuine concern for a party's silenced voice (Theme 3) might, after careful reflection, be worth acting on in a careful manner.

This perspective resonates with the view of Transformative practice as *deeply intentional and disciplined* rather than simply passive. Bush and Folger (2005) have emphasized that Transformative mediators are not just doing nothing; they are actively holding an intentional space. My findings flesh that out. Practitioners must consistently monitor the ethical "why" behind each move. Especially when an impulse is fueled by personal emotion or identification with a party, practitioners check themselves: *Will acting now serve the parties' process, or is it serving my emotional regulation?* If the latter, they strive to restrain. This confirms Kressel's research which found experienced mediators engage in internal deliberation about their motives during sessions, a mark of expertise and ethical maturity (Kressel, 2013).

The panel also provided compelling scenarios about directive action in contexts of power and safety, where intervention was deemed ethically necessary, particularly around power imbalances or threats to a party's psychological safety (Theme 3). In these cases, they reframed directive moves not as abandoning neutrality but as *"defensive moves in service of restoring self-determination."* Our mediators' actions, like Carol refusing co-opted cases, or Judy insisting on informed consent, are concrete examples of *ethical resistance*. They show practitioners ensuring the process is not used to legitimize unfair power dynamics. This nuanced view actually broadens the definition of neutrality. Neutrality is not always doing nothing; sometimes it means *neutralizing external power* to give space for genuine dialogue.

When practitioners did intervene in these high-stakes contexts, they did so *deliberately and tentatively* (Theme 4). They emphasized timing (*"waiting for chapters"*) and framing ("checking in" vs. instructing) to ensure they maintained party ownership. This reflects an understanding that *how* one intervenes can preserve neutrality in effect, if not in form. By using "invitational" language and being open to a party saying, *"No, I don't want to change course,"* practitioners kept power in the parties' hands even as they took the temporary reins to steer away from a cliff. This balancing is supported by Field's (2017) notion of contextual ethics – adjusting the practitioner's actions to context while still upholding the central tenet of self-determination.

Another striking thread through all themes was the importance of self-regulation and inner discipline (Theme 5). The panel cast the mediator's capacity for self-awareness, emotional regulation, and humility as the most critical component of ethical practice. In other words, we can summarize that the core ethical tool of the Transformative practitioner is not a technique, but the practitioner's capacity for self-regulation. This means practitioners must know when their internal state is compromised (e.g., feeling biased, exhausted, or judgmental) and have the courage to *pause or withdraw* rather than press on unethically. It is in line with professional standards that advise suspending mediation if impartiality is lost. But beyond such guidelines, my findings show an even more granular practice. Practitioners constantly scanning themselves and making micro-adjustments (like breathing, silently reminding themselves of voice/choice, etc.). In doing so, they enact what Astor (2007) and others call reflexivity – acknowledging one's situatedness and managing it responsibly.

The panelists' emphasis on presence and internal monitoring also intersects with mindfulness practices increasingly recognized in the field (Hyman, 2015; Riskin, 2004; Riskin & Wohl, 2015). Hyman (2015), for example, discussed whether mediators should attend to intuitive moral judgments. Our panelists would answer yes, through mindful self-observation they *notice* those judgments and then decide intentionally whether to act. One could say the practitioners are exercising a form of "moral mindfulness," being aware of their own moral responses (e.g., outrage at perceived unfairness) and choosing their intervention not impulsively but

reflectively. This corresponds with the notion that ethical integrity is often tested by the practitioner's inner terrain, not just external dilemmas, which this data strongly supports.

Throughout all the themes, the principles of party voice and choice (Theme 6) appeared as the through-line, a litmus test, guiding decision-making. This is consistent with the Transformative framework's foundational ethics (Bush & Folger, 1994; 2005). The panel's consistent return to *"does this expand or contract the parties' agency?"* provides a simple yet profound ethical litmus test. It is worth noting how this principle helped resolve other tensions. For instance, it helped practitioners decide in Theme 3 whether an imbalance warranted intervention (would intervening give the quieter party more voice? If yes, it aligns with empowerment) or in Theme 4 how to frame an intervention (frame it to give choice, e.g., asking if they want to do something differently). It also helped them guard against their biases. If an impulse was more about the mediator's own preference, it likely didn't clearly serve the parties' voice/choice and thus would be checked. As a result, party self-determination remained the "North Star" in complex situations, reflecting what Field (2017) advocated: that any ethical paradigm for mediation should use self-determination as the key guiding principle.

4.1 Implications for Practice

The insights from this analysis carry several implications for transformative practice, training, and ethics:

1. **Training in Reflexivity:** Practitioner training programs should explicitly teach and cultivate the skills of internal monitoring, managing biases, and maintaining presence. This could involve exercises in self-awareness, role-plays with deliberate bias triggers followed by reflection, and perhaps mindfulness practices. Given the panelists' consensus that these skills are as critical as any technique, training that neglects them leaves practitioners ill-prepared for the real ethical challenges of practice.
2. **Ethical Guidelines and Supervision:** The findings suggest that ethical guidelines for practitioners could better acknowledge the gray areas and emphasize context-based judgment. For example, codes could encourage practitioners to prioritize party self-determination even if it requires deviating from strict neutrality (with transparency). Ongoing supervision or peer consultation could help practitioners navigate tough cases, creating a culture where mediators discuss impulses and doubts rather than hide them in fear of seeming unprofessional. Our panelists' openness about mistakes and regrets (Cherise's admission, etc.) highlights the value of reflective learning (Lang, 2024). This aligns with calls in the literature for practitioner **supervision and continuing education** focusing on ethics in practice (Astor, 2007; Bowling & Hoffman, 2003).

3. **Contextual Adaptability:** Practitioners in various settings (family, community, court, international) can draw from these themes to adapt ethically. For instance, a community mediator who senses a party doesn't actually have a choice about being there (maybe referred by a landlord or boss) might channel Theme 7 and ensure the party knows mediation is voluntary and they can leave, essentially restoring their choice in a system that might have obscured it. In doing so, the mediator might risk displeasing the referring agency, but as our panelists demonstrate, ethical courage sometimes requires prioritizing the party's autonomy over institutional relationships.
4. **Mediator Well-Being:** Theme 5's notion of withdrawal and self-care implies practitioners also need to take care of their own emotional well-being to practice ethically. Burnout or compassion fatigue can reduce one's ability to be present and non-directive. Thus, supporting practitioners' well-being (through workload management, debriefing difficult cases, etc.) is indirectly an ethical imperative for organizations employing mediators, facilitators, or coaches.

4.2 Conclusion and Implications for Transformative Practice

The model of practice that emerges from these findings is one of a highly reflective, ethically engaged mediator who is neither a passive neutral nor a directive manager, but something of a conflict process steward. This steward role involves cultivating a particular quality of presence, safeguarding the conditions for dialogue, and intervening only in ways that reinforce (rather than replace) the parties' own agency.

For Transformative mediation as a field, these insights reinforce the model's distinct identity and its challenges. They demonstrate that Transformative mediation demands a high level of mediator self-discipline and ethical clarity, arguably more so than some other models where mediators have more leeway to guide content. It shows the model can handle tough situations, contrary to some critiques that transformative mediators might be paralyzed by non-directiveness, but it handles them through a different logic: by double-down on process ethics rather than by covertly switching to evaluative tactics.

The chapter's findings offer reassurance that Transformative practitioners worldwide share common strategies for ethical dilemmas, suggesting that the model's training and community have inculcated certain norms (e.g., *when in doubt, empower*). At the same time, it highlights areas where Transformative mediation interfaces with external systems need careful management (e.g., court referrals).

5. Conclusion

This chapter set out to rigorously explore the directive impulses of professionals in Transformative practice, using qualitative analysis of a rich panel discussion as the primary lens. Through seven thematic explorations, I uncovered how these practitioners wrestle with internal and external pressures to direct, and how they deliberately harness ethical principles to respond in ways that uphold the Transformative framework. They revealed a practice that is highly reflexive. Practitioners continuously check their motives, monitor the impact of context, and align their actions with the party voice and choice.

In doing so, the chapter illuminates the often invisible "inner work" of practitioners, the silent decisions and adjustments. We saw that ethical tensions are not abstract for these practitioners. They arise in visceral moments, and each must be met with conscious, principled choice. By treating each dilemma as an opportunity for self-reflection and recommitment to values, practitioners can navigate even high-stakes situations without betraying the core of party empowerment.

The chapter also situated these findings within broader debates on mediation ethics. It affirmed critiques that pure neutrality is illusory, yet offered evidence that practitioners can achieve *practical impartiality* by focusing on empowerment rather than detachment. It supported calls for a contextual, pluralistic ethics, one that allows practitioners to respond to power dynamics and systemic factors responsibly, rather than clinging to a one-size-fits-all posture of non-intervention. What emerged is an ethical model where non-directiveness is dynamic and contingent, always measured against the effect on the parties rather than a rigid abstinence from action.

The implications for practice are significant. For practitioners, the chapter offers concrete strategies to maintain ethical practice: use inner dialogue as a compass, don't shy away from intervening when it genuinely serves party autonomy, but do so with timing and tone that keep power with the parties. For transformative programs and referring institutions, the findings gently warn against co-opting mediation for appearances. If the process is not truly oriented to party empowerment, Transformative practitioners may rightfully push back or bow out. For the development of professional ethics codes and training, the chapter emphasizes the need to incorporate modules on mediator reflexivity, bias awareness, and handling systemic influences, aspects that are often overlooked in favor of communication techniques.

Ultimately, this chapter contributes a theoretically rich and empirically grounded framework for understanding directive impulses in Transformative practice. It paints an image of the practitioner not as an all-powerful director nor as a hands-off bystander, but as a dedicated navigator steering through ethical cross-currents. The practitioner's role emerges as *at once humble and heroic* (as Baruch Bush would say): humble in yielding to the parties' voices, yet heroic in the courage to confront one's own impulses and the fortitude to stand against pressures that threaten the ethos of empowerment.

The experiences of these practitioners affirm that ethical Transformative practice is a living, breathing practice, one that requires continuous personal growth and situational judgment. Their collective wisdom suggests that when practitioners cultivate self-awareness, embrace ethical complexity, and keep the focus on empowering parties, they can manage directive impulses in a manner that not only avoids harm but actively contributes to the Transformative potential of any practice. This alignment of practice with principle ensures that even as practitioners intervene, step back, or struggle internally, they do so in service of the parties' own journey, which is, in the end, the heart of the Transformative practice promise.

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