

## **The Mediator as Narrator: Practicing Narrative Mediation**

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The paper will seek to build on the work of Winslade and Monk (*Narrative Mediation: A New Approach to Conflict Resolution*) in the development of a working model for the practice of narrative mediation. The premise that the mediator must view the discourses of parties to a dispute as narratives is shared. However, the view will be presented that the mediator

must also be seen to be living in a "storied world," because, as Winslade and Monk themselves would acknowledge, all discourse is in essence narrative discourse. Human experience is organized in terms of narratives. This fact raises questions with regard to the process of mediator intervention proposed by Winslade and Monk, whereby they would have the mediator step away from the narrative form, and "deconstruct" the narratives of participants, show relationships with dominant discourses, and so on, thus adopting what I refer to as a kind of "meta-narrative" stance.

I will contend that mediator cannot step out of the narrative form, any more than a fish can step out of water. The mediator must rather be aware of his or her own narrative, and share it with participants to a dispute in a way which invites an alignment of narratives, in order to create a new, transformative narrative that they can share. A critique of "meta-narrative" analysis on the part of the mediator will be followed by a demonstration that, according to the information provided, a "family mediator narrative," as a variation of a transformative narrative, can be revealed. This analysis will in turn be related to subsequent statements attributed to the parties to the conflict to show that this narrative served to facilitate the process.

My interest in this project was awakened by a statement made by the authors, in the course of a very insightful critique of the "problem-solving approach" that has tended to dominate the

discourse surrounding the still fledgling practice of mediation on this continent. The authors declare the problem-solving approach to be "only one conceptualization of - - - mediation practice," (200:35) and go on to say that the assumptions of a problem-solving approach "constitute a plausible story of how conflict occurs and how it is resolved." Further, "this story arises out of a context in which it makes sense, that it represents a cultural slant, and represents a particular historical set of circumstances. " They further declare that even when such stories are served up in the guise of science, we expect them to be contextually located." (2000:35)

These statements leave the reader somewhat unclear as to the status of the "problem solving" approach. Does its designation as "just a narrative," make its use in mediation practice inappropriate? Or is it the case that its status as a narrative merely limits its value? More significantly, can a critique of the problem-solving approach which is able to "locate" it in terms of historically and culturally and contextually specific assumptions, thereby assume the "guise of science," or may the critique itself be a product of its own social and cultural location. Winslade and Monk state that: "conflict is likely because people do not have direct access to the truth or the facts about any situation." (41) However, if "people" do not, then how can the mediator, since he or she must learn about the situation from the perspectives of the people in the dispute.

If we begin with the assumption that human discourse is

located, then, indeed, we can no longer unreflexively return to the guise of science. If we accept that the "problem-solving" approach is "only one" conceptualization of mediation practice, then there must be others. If so, what is their status? Do they have direct access to the truth? Are they less located historically culturally, contextually? Should this freedom from location even be our goal?

Many explorations of post-modernism, faced with these kinds of questions, and with the possibility of a kind of infinite regression, related to the possibility that all discourse, scientific or otherwise, is socially located, tend to try to fall back on some kind of standard which transcends location. A common recourse is to the concept of power (cf. Foucault, 1977). "Power" can seem to transcend location in one sense, because the speaker is one who has the power to speak, or at least to have his speech become a matter of record. I refer to "his" because a major example of this sort of usage emerges from gender studies, and the identification of masculine and feminine "voice." Winslade and Monk do indeed seem to fall back on this kind of notion when they indicate that: "Conflict is also an inevitable product of the operation of power in the modern world. - - - suffice it to say that this (narrative) analysis stresses contests over whose meanings get to be privileged." (41) But does power necessarily transcend location? From another perspective, nothing is more location-dependent than power. One need but refer to authors such as Hanna Arendt,(1970), to recognize the extent to which power depends

on definition. Winslade and Monk also acknowledge, with reference relationships like those found in the context of divorce mediation, that there is an ongoing "production and reproduction of power relations between men and women." (2000:42) This is not to say that such an analysis based on the concept of power, is wrong, or mistaken, in any kind of objective sense, either. Rather, it is another kind of narrative, or aspect of narrative. It is one which very effectively helps us to make sense of certain kinds of facts which have come to our attention; such as the absence of a feminine "voice" in dominant discourses of past eras. However, by the same token, it may not be as helpful to account for other kinds of facts and meanings, as may emerge for example in relatively egalitarian interpersonal relationships.

If we accept, on the other hand, that there may not be any immutable external standards to guide us, we are left with no recourse but to rely on socially located narrative. This reminds me of a story, told by my grandmother, about her father. My grandmother grew up in a large extended family in Russia, in the early years of the 20<sup>th</sup> Century. Her father was a merchant, who would take buying trips to France and other Western European countries. When he returned, he would tell the children wonderful stories about his adventures on these travels. The children loved the stories, but my grandmother remembers him being asked: "Is that story really true?" And he would respond: "Did you like the story?" When the answer was "Yes," he would say: "well then don't ask." In the same

way, I believe that we as social scientists and as practitioners need to learn to rely on the power of narrative, as narrative. We need to ask: "Is the narrative successful?" Does the narrative communicate effectively? Does it express the message and the moral we wish to convey, and does it do so in a way that resonates with its (located) audience, who are always themselves situated in a time and a place? If the answer is yes, then we will have communicated a meaningful truth in such a way that we need not deprecate the story for its relationship to a time and a place, but rather appreciate how its location can enhance and enrich a narrative. The narrative at the beginning of this paragraph was very specifically situated in time and space, both of which were quite removed from the present. Did this fact, in and of itself, make the point of the story more difficult to grasp?

This is the approach now being taken by sociologists like Arthur Frank, (1993,2001, 2002) who declares that in future the work of sociologists will be judged on the quality of their narrative. Science is "meaningless," says Frank, in the sense that it is unable to answer fundamental questions of meaning, like how we should act, and how we should live. Frank says that peoples' narratives express the local and contingent solutions they have found to these basic questions of meaning. These are of course the very kinds of fundamental questions that mediators must address, both in terms of disputants' narratives, and in terms of how they may play into the process of conflict transformation. However, these meanings must

become lost in the light of objective, scientific analysis, leaving both mediator and disputants to founder, or else making room for the mediator to import his or her own biases and preconceptions under the guise of objectivity; (de Shazer, 1994; ix-xvii;) e.g., as above, in terms of concepts of power.

The movement to a narrative understanding from the point of view of therapy is manifested in Steve De Shazer's introduction to *Words Were Originally Magic* (1994:xi-xvii). De Shaver, a founder of solution-focused therapy, makes the point early by beginning with the phrase 'Once upon a time - - .'. He starts with Freud, whom he describes as employing a 'scientific, positivistic' model to explain the stories people told him. He goes on to characterize the majority of therapeutic approaches since Freud as falling into a "Sherlock Holmes" style; involving the gathering of clues, and their logical, inferential interpretation. Now, he says, the "retellers" of stories no longer pretend to be modern or scientific. Rather, they tell: "stories about the telling of stories, the shaping and reshaping of stories so that the troubled people change their story." (xvii)

Before we begin to examine Winslade and Monk's approach to narrative mediation more closely, there is another question that needs to be addressed more explicitly. This is the question of what is a narrative, and how can identify we narratives for mediation. Authors on the subject of narrative mediation tend to rely on an intuitive understanding of the nature of narrative.

However, we should perhaps have some sense of what we mean by this key term. At its most basic level, a narrative is a metaphor in motion. Some kind of image is related to actions or events. A narrative is 'talk organized around consequential events, or, a story with a beginning, middle and end, although it does not need to be told in sequence - the ending may be told first, for example. The second basic feature of narratives involves the fact that they are always framed by some sort of central metaphor. In a study of narratives of divorced men and women, Katherine Riessman, (1993) who identifies narrative as the organizing principle for human action, invokes the example of a single mother who framed her account of the problems and crises she was facing by describing herself as 'walking around with a cloud over my head.' This woman used the same phrase at the beginning and end of her relation of the details of her situation; her concerns for the well being of her child, her problems with welfare, with housing, achieving her educational goals, etc. The metaphor provides the connection among these various consequential events, as well as telling us more about her state of mind and her relationship to the world than we could glean from the sequential recitation of problems in and of itself.

Edmund Burke, (1969) defines narrative in terms of five basic elements: agent, act, agency, context and moral or purpose. 'Act,' first of all, identifies what took place; the "action," or events around which the narrative is centred. "Scene" refers to the background of the act, or the context in which the event

occurs. The relevance of features of context are determined by the judgment of the storyteller, and so stories will vary considerably in the kinds of background characteristics identified. The 'agent' is the one who acts; who carries out the action, and his, and includes characteristics of the actor. Agency refers to the means employed to carry out the act, and finally, Purpose refers to the motives or reasons for the act, and more broadly to the meaning or point of the story itself. Thus, to employ an example which could have been taken from the board game "Clue," when the butler killed Lady Beverly's lover in a jealous rage, in the pantry with a carving knife, the act is the murder, the agent is the butler, the scene is the pantry, the agency is the thrust of the knife, and jealousy is the motive, or purpose.

Burke sees these elements to be present in every narrative in some form or to some degree. One or more may be definitive in any particular document; e.g., stories may primarily express characteristics of the actor, may focus on the plot, or action, or may reflect a preoccupation with agency, or with setting or background. Or a story may be told primarily to make a point. However, a story can never be reduced to just one element. Burke compares these five elements to fingers on a hand which: (xxii) "in their extremities are distinct from one another, but merge in the palm of the hand," so that, "if you would go from one finger to another without a leap, you need but trace the tendon down into the palm of the hand, then trace a new course along another tendon. If we refer back to the "Clue" example,

and imagine removing any one element, it immediately becomes clear that the story would be incomplete.

We have seen that Winslade and Monk define the "problem-solving" approach as a narrative; a "plausible story" in their words. What, then, is the "story," and how does it conform to our definition of narrative? This narrative form as introduced by Fisher and Ury (1991) is something like the following: Conflict results when parties' have, or perceive themselves to have, competing needs and interests. Conflict escalates when parties establish positions in response to their needs and interests, and then concentrate their energies on defending these positions, while attacking the position of the other party(s). Conflict escalates further when attacks on the other's position lead to attacks on the other as a person. The mediator helps the parties to refocus on the common problem, involving incompatibility of needs and interests. The emphasis here is on the problem, not the person; hence "problem-focused." The task is first of all to identify the interests behind the positions, while preventing personal attacks. Once interests have been identified, those that are common interests can be identified. Then, options and possibilities can be explored, so that ways can be found to satisfy the interests of both or all parties.

The basic metaphor here, as we have already identified it, is that of the "problem-solver." The basic movement is that from positions to interests, or as so aptly described by Fisher and Ury, "getting to yes." The co-agents are the mediator and the

disputants. The “action” centres around the efforts of the mediator to bring about the movement to interests, through the agency of the skills at his or her disposal. The scene is generally a fairly clearly defined negotiation or mediation context, and setting. The meaning has to do with both the value and the possibility of successful conflict resolution.

As criticisms of the “problem-solving” narrative for mediation have emerged, practitioners have increasingly claimed adherence to the narrative of transformation, ever since its introduction by Robert Bush and Joseph Folger in 1994. According to this narrative, the basic purpose of mediation is not merely to solve problems, but to use the occurrence of conflict as an opportunity to promote growth in the parties to the conflict. Growth is to be accomplished through two interrelated aspects; empowerment and recognition. Recognition involves understanding and appreciation of the other party(s), and indeed, compassion. Empowerment involves the growth of a sense of autonomy in the person, gained through meeting the challenge of a conflict situation, and realization of one's own ability to engage in “conscious and deliberate reflection, choice and action.” (1994:81)

The metaphor here is one of liminality, as introduced by Victor Turner (1974), whereby mediation practice is located at the boundary of growth and change. The movement is in the transformative processes of empowerment and recognition. As with the problem-solving narrative, mediator and disputants are

co-agents, and the action centres around the mediator, through the agency of the skills at his or her disposal.

With these definitions in mind, then, let us proceed to examine Winslade and Monk's approach to narrative mediation more closely. This examination will be based on a family mediation case presented by the authors in some detail to demonstrate their approach. This “case study” provides a helpful basis for assessment of their approach. The case (2000:1-5) involves “Greg” and “Fiona” who were going through a divorce process after 14 years of marriage. Greg wanted custody of their three children, and believed he could obtain it through family court. Greg had previously undergone a religious conversion and believed he could provide a better and more moral upbringing for the children. Greg was angry with Fiona over the separation, and felt betrayed by her actions.

Fiona had initiated the mediation, as an alternative to a lengthy court case. However, she was very angry with Greg for his threats to take the children, and for accusations of immorality he had been making to friends in their small community, that she was immoral, and that she had previously had an affair with Greg's friend. The authors summarize the situation as follows:

*Fiona and Greg had a well-developed problem saturated narrative about the conflict. Each described the other in unidimensional, fixed and unyielding terms. Elements of this problem narrative had such a tangible and reified quality that*

*both Fiona and Greg experienced their own storied account as the only true description of the events of the conflict. (2)*

Note that we have the outlines here of three narratives: Greg's, Fiona's, and the authors' summary narrative. Looking at the latter, we notice that it reflects a "problem-solving" narrative to a considerable degree. We see a situation where parties have become locked into fixed positions, or "fixed and unyielding terms," so that they take on a "reified" quality, at the same time focusing on the person, not the problem, leading to description of the other "in unidimensional, fixed and unyielding terms," so that conflict escalates, resulting in a "problem saturated narrative," or impasse, whereby they become unable to see each others' point of view.

Winslade and Monk go on to describe their approach to mediation, in terms of four basic strategies (5) These include: Developing externalizing conversations, mapping the effects of the problem on the person, deconstructing the dominant story lines, and developing shared meanings about the conflict and its solutions. The first of these strategies continues the affinity with the "problem-solving" narrative, as begun with the summary narrative. They state that: "Externalizing conversations help separate the problem from the person and open space for a perspective in which blame and shame become less significant." (2000:7) This is very close to the original statement by Fisher and Ury in *Getting to Yes* (1991)"

Mapping the effects of the problem on the person is an investigative process whereby the mediator explores meanings and intentions associated with disputants' narratives more fully. This kind of approach is, I believe, fairly standard practice. This brings us to "deconstruction," which is the point at which what Winslade and Monk define as their narrative approach to mediation really begins. It is at this point as well that they begin to take on a kind of "meta-narrative" stance. They define the deconstruction process as one in which the taken for granted assumptions to which we become subject as the result of the operation of discourse are "unpacked," so that "ideas that masquerade as unquestioned truth or as inevitable realities are exposed." (43) This is to be done in a manner that emphasizes, in their words, "curious exploration."

The authors demonstrate this method by "deconstructing" the narratives of both Greg and Fiona. Greg is identified as expressing a narrative reflecting a "head of the household discourse," whereby men are the providers, and women who leave the household are betrayers of the family. This alignment with the dominant discourse is seen to give Greg a sense of "entitlement." Greg needs to be shown that his narrative is merely a product of the dominant discourse which, while it may indeed give him a sense of entitlement (as reflected in his confidence that the judge would "understand.") is not necessarily accepted by all; clearly not by the mediator. The mediator communicates the message to Greg that, therefore, he cannot expect it to help him to reach an equitable agreement

with Fiona. As well, it is a difficult standard to live up to, and is causing him much stress.

A deconstruction of Fiona's narrative is seen to reveal that, while she was once under the sway of the "head-of-the-household" discourse, she has become aware of alternative discourses, which include narrative elements such as married women who pursue their own careers, and men who take a more equitable role in child care, and male and female partners in a marriage have an equal role in decision-making. Greg's inability to share in this kind of narrative led her to end the relationship. This deconstruction does not seem to carry the same kind of judgment that is conveyed in the deconstruction of Greg's narrative; i.e., that she is "under the sway" of these discourses. Is this because they are not "dominant," as is the "head-of-the-household" discourse, and therefore provide less of a sense of entitlement, or that the mediator finds more sympathy with these alternate discourses? It is not our purpose to show that the authors' analysis is in turn biased, or socially located. Nevertheless, this does seem to bear out the earlier point that every new analysis must in turn be socially located.

Another aspect of the meta narrative stance presented by Winslade and Monk has to do with the notion of curiosity. What they have in mind, they say, is: "curious exploration - - - rather than simple acceptance" (43). This usage itself seems somewhat curious, excuse the expression. First, the reference to

"rather than" seems to set up an "either/or" frame. Certainly, naive acceptance, without reflection, is not helpful. However, surely some degree of acceptance is in order. The meta narrative stance is implied in the sense of judgment, or analysis. Curiosity, as opposed to perhaps caring concern, or even polite interest, implies a certain detachment, or distance; disengagement. The connotations, or associated or secondary meanings, may include attitudes such as inquisitiveness, "nosiness," perhaps even suspicion. The exercise of curiosity makes a great deal of sense in an intellectual narrative, as illustrated by my own expression of "curiosity" at Winslade and Monk's usage. When people are in conflict, however, and when they have come to a mediator for help, do they necessarily welcome the expression of curiosity, or might they consider it to be intrusive, or insensitive? Would not most prefer some degree of acceptance? Perhaps a better response would be engagement, from the perspective of the mediator's narrative; how the mediator understands the situation.

It seems clear, then, that what we have called the "meta-narrative" approach to mediation, as characterized by the "deconstruction" of disputants' narratives, and the exercise of "curiosity" is inappropriate to the mediation context. However, I had set out to show that it was in fact not possible to step out of narrative, and this may indeed prove to be the more difficult task. Further light may be shed on this question by Paul Feyerabend (1975; 50-51) in his essay: *Against Method*. Feyerabend describes a parallel to the notion of

deconstruction as presented by Winslade and Monk, in his discussion of the argument attributed to Roger Bacon, that natural interpretations of observable phenomena could be discovered by stripping them away one by one, until the sensory core of every observation is laid bare. Feyerabend comments that, first of all, one cannot eliminate all natural interpretations, without also eliminating the ability to think and to perceive, since all observation has an aspect of interpretation. Thus, Baconian analysis, says Feyerabend, always stops somewhere, precisely because it has arrived at natural interpretations of which the observer is unaware. In the same way, a complete deconstruction of a narrative would leave us disoriented and unable to think. Secondly, I believe that Winslade and Monks' deconstructions show how deconstructions stop at assumptions of which the analyst is unaware. This is displayed by the lack of symmetry between the deconstruction of Greg and Fiona's narrative, whereby the deconstruction of Greg's narrative ends with the conclusion that Greg's adherence to the dominant discourse is misguided. Not that their analysis is entirely inappropriate. However, it perhaps represents elements of a more academic approach, imported from the scholarly milieu, where curiosity is certainly more appropriate, and where speakers might indeed welcome a deconstruction of their narratives that reveal their grounding in dominant discourses of which they may not have been aware.

In order to demonstrate the mediator as narrator, however, we need to take another look at Greg and Fiona's narratives, and

not deconstruct, but "reconstruct" these accounts from a narrative perspective. We already have the beginnings of a narrative quite distinct from their meta-narrative analysis, as presented in response to the initial statements by Greg and Fiona.

This summary, as we saw, was not inconsistent with a problem-solving narrative. At this point, the problem-solving narrative would have the mediator attempting to get the disputants to focus on identifying common interests, and look for movement from fixed positions to shared interests. However, we must now look elsewhere for further insight. The family mediator recognizes that a simple focus on interests is not enough. The relationship of the divorcing couple must be redefined, even transformed, before they can begin to address their needs. More specifically, they must move from viewing the situation as a failed marital relationship to a point where they are able to define it as a "successful parenting and business relationship." (2000;28) To make this outcome possible, they must move toward a consensus (22). We may interpret this to say that they must realign their narratives so that they can accomplish such a transformation while both still retaining some sense of entitlement. The narrative mediator knows that every first-person narrative has, at its heart, a sense of entitlement for self, as agent. This is why, to deconstruct the narrative with a view to challenging the sense of entitlement is counterproductive. Instead, the narrative mediator works to reconstruct a shared narrative in such a way that it provides a

renewed sense of entitlement for both the husband and wife, as parents and as separate and autonomous individuals who are nevertheless able to maintain a very different kind of relationship from the one they had before.

The mediator's narrative also provides for the mediator's sense of entitlement through the mediator's understanding of these kinds of narratives of marital conflict, gained through extensive experience, and combined with a sense of commitment to helping them to achieve the best possible outcome. If we were to try to encapsulate this family narrative, we might wish to present it to the couple as follows:

*While I have heard both of your narratives and sympathize with both, I am committed to helping you to redefine the situation and your relationship so that you will be able to work together in a way that is best for your children, and will also allow you to deal successfully with any other issues that may arise regarding your relationship with each other and with your children. This will require that your new narrative provide each of you with a sense of entitlement, as parents, and as autonomous individuals who can relate to each other in a new way.*

This narrative is a transformative one, as described earlier, in terms of the criteria defined by Bush and Folger. It involves fundamental changes in the parties themselves and in their relationship. The transformation in Greg and Fiona's relationship is shown in the narratives they are depicted to be describing subsequently (27). Fiona, first of all, is quoted as

saying:

*Fiona*

*I think I am a quite trusting and forgiving person deep down and I am also beginning to appreciate that Greg sincerely believed that the way he was being a father of the children in our marriage was motivated by his best intentions.*

The first statement suggests a sense of empowerment gained from the awareness she has acquired of her own capacity to trust and to forgive. The second reflects a renewed recognition of Greg, through understanding of his commitment to fatherhood, and its impact on his actions.

*Greg*

*I've learned a lot going through this process and I can't say I'm fully there yet. However, I think I am a better man for it. I would like to think that I have the ability to put my family first, and under the circumstances I think I have taken a pretty unselfish view of things."*

Both of these are very much "narrative" statements, but quite different from the kinds of statements they were making at the beginning of the process. Fiona has moved from a "conflict-saturated" narrative of blame and accusation, to one in which she is able to define herself as a forgiving person, and gain a

sense of empowerment from that. Greg has also been transformed, in her view, into someone with, at least, good intentions, through her ability to achieve a greater recognition of his needs and motives. Greg has moved from someone whose sense of self-entitlement was grounded in the conviction that "the judge would understand his story," (2) to one who can see himself as putting his family first. Both have redefined their relationship, gained a renewed sense of entitlement, and thus seem ready to begin "a successful parenting and business relationship." Thus we have a successful outcome that appears to involve in fact a realignment of narratives.

It is possible, then, to reconstruct a mediator's narrative, drawing on the authors' own account of their mediation practice, and to say that the mediator does appear to have been acting as a narrative mediator, and has assisted the parties in aligning their narratives in the context of a transformed relationship. We can declare the narrative mediator to be successful, based on a the realigned narrative accounts attributed to Greg and Fiona, and claim that mediators really do communicate in terms of narratives, and that a successful mediator's narrative is one that "works," in terms of achieving the desired outcome. To begin with, the case of Greg and Fiona is introduced simply as "a story." We are not provided direct assurances with regard to how factual the account is. However, I believe it is possible to trust in its authenticity, as a reflection of how the authors practice narrative mediation. It does have the air of authenticity; at least of being grounded in experience.

Another question remaining for future has to do with methodology. It may seem to be somewhat of a departure to abandon scientific method in favor of some notion of what constitutes a successful narrative. However, this is quite consistent with a case study methodology, which tends to dominate the analytical discourse in relation to mediation, as it does in other areas of practice. While case study analysis does not allow for the kinds of controls that are the hallmark of the scientific method, it can still be done with the methodological rigor of careful observation, attention to detail, and thoroughgoing and conscientious analysis.

In conclusion, this paper has explored the concept of narrative mediation as defined by Winslade and Monk, and presented the view that narrative mediation must include the mediator as narrator. The mediator cannot understand disputants' stories in terms of narratives, then step out of the narrative form and take an analytical stance. Rather the mediator's narrative must help parties to realign their narratives in a meaningful way.

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