Transformative Linguistic Styles in Divorce Mediation

William A. Donohue and Yuhua Jake Liang

Michigan State University, MI, U.S.A.

Correspondence
William A. Donohue, 563
Communication Arts & Sciences
Building, Michigan State
University, MI, U.S.A.; e-mail:
donohue@msu.edu.

Abstract

The purpose of this study is to test the influence of the transformative mediation (TM) linguistic markers of empowerment and recognition on mediation outcome. The linguistic structure of the word usage in 20 divorce mediation cases was analyzed with the Linguistic Inquiry and Word Count program. Overall empowerment and recognition linguistic markers for husbands and wives were compiled and analyzed to determine the differences in linguistic usage between disputants. While some linguistic markers differed in the hypothesized direction, others remained relatively static. Husbands and wives in settled mediations had higher levels of linguistic synchrony for positive empowerment markers than husbands and wives in unsettled mediations. Findings were partially supportive of the role that language reflective of the TM model plays in helping disputants reach a settlement. The implications of current findings for future research are also discussed.

Transformative Language in Divorce Mediation

Bush and Folger (2005) proposed a relational development approach to mediation termed transformative mediation (TM). The key idea of their approach is that relationships drive settlements. If the mediator can transform the relationship between the parties so that they both view one another more positively and constructively, then the substantive problem solving will follow. Bush and Folger contend that the mediation process should aim to engender moral growth for both parties to achieve greater compassion for one another while being stronger advocates for their needs. It might be the case that the mediator successfully reshapes one party's perception of the relationship but not the other's. However, this type of process will not achieve the transformation. Both parties must alter their relational framework. The failure of both parties to achieve

this kind of mutual moral growth compromises the opportunity for any real progress toward reshaping the dispute and ultimately making progress on substantive issues.

This critical, mutually achieved transformation develops through two key processes: empowerment and recognition. Recognition involves each party understanding how the dispute fully impacts one another. Typically, a disputant enters mediation unaware of how the conflict impacts the other party. Each disputant is focused on his or her own problems. By recognizing the full impact, and often the pain of the dispute from the other's perspective, each disputant can begin to build a sense of moral compassion toward one another that leaves open the possibility of relational repair. Empowerment involves supplying the parties with the skills they need to fully engage in the conflict, such as listening to one another, communicating openly, and relating positively to one another. The mediator reinforces simple listening skills such as not interrupting while actively reframing while also encouraging parties to safely explore their feelings and perceptions. Acquiring these skills sets the relational stage for disputants to be fully engaged in the conflict so they can ultimately gain a comprehensive understanding of the conflict and ways to benefit from it.

While most attempts to understand TM have focused on practitioner applications of the model (e.g., Bingham, 2004; Gaynier, 2005), the purpose of this study is to use it as a conceptual framework for exploring the influence of linguistic style markers of empowerment and recognition on the disputant's ability to settle mediated disputes. In our view, TM serves as a useful framework for understanding how mediators help disputants create the linguistic context that enables them to work through their issues. Research is clear that when parties are able to use relationally positive language in mediation they are more likely to reach agreement (Olekalns, Brett, & Donohue, 2010). Specifically, this article is not focusing on the psychological impact of TM language on the perceptions of disputants in some test of the model. Rather, TM provides a potentially powerful framework for further understanding the extent to which relationally positive language builds the kind of cooperative context necessary to promote agreement.

This approach represents an important shift from thinking about TM only as a psychological framework focused on changing the way disputants perceive one another in conflict. Rather, we are viewing TM as a framework that helps understand how relationally positive language shapes the mediation context. Regardless of whether the specific model mediators use to process a dispute is more issues-focused (e.g., a Facilitative Model), or relationally focused (the transformative model), the important question is whether the accumulation of relationally constructive language exchanged between parties over time can impact outcome.

To answer this question, this article will conduct a linguistic analysis of an existing set of divorce mediation transcripts that have been used extensively in prior research (e.g., Donohue, 1991; Jones, 1988; Taylor & Donald, 2003). This data set contains seven settled and thirteen unsettled mediation sessions and provides a useful resource for making a preliminary test of the TM model. To make the case, this article will begin with an overview of the TM model and the linguistic analysis tool that will be used to test the extent to which TM-based language can build the kind of relationally positive context that can lead to agreement in mediation.

Transformative Mediation

In the transformative approach, the primary goal is not to push first for the resolution of substantive issues, but rather to work on transforming the psychological relationship between the parties that has deteriorated in the face of the conflict. Solving the specific problem that brought parties to mediation is a secondary goal that is reached as disputants strengthen their relationship and learn to constructively share their thoughts with one another. This approach acknowledges that disputants first need to think differently about one another, and at the same time, they develop an understanding of how the conflict impacts one another's lives. This transformation then enables the parties to approach the substantive issues with compassion and understanding (see Bush & Folger, 2005).

The proponents of TM argue that this compassion and understanding should not only be the goal of mediation, but is the aim of all human development (Bush, 1989). Transformation is grounded in the belief that conflict provides an opportunity for individuals to grow into more than they have been. The human experience involves being challenged through change. Although some individuals are driven by protecting themselves from negative events, others are driven by seeking positive influences in their lives. Conflict can be a positive influence if it becomes an opportunity for learning and human development. Bush and Folger (2005) contend that mediation is a tool well suited to help people achieve moral growth by developing the kind of mutual compassion that enables parties to recognize the value in each other. As moral development grows through the mediation process, relationships may transform from one that is adversarial and focused on retreating from the conflict to one that is collaborative and focused on using the conflict for personal and relational growth.

The TM approach differs from the widely used and historically embraced facilitative approach in two important ways. The first is that in order to practice TM, the mediator must actively seek and foster opportunities for the parties. Specifically, the mediator aims to enable both parties to become empowered to communicate and share their perceptions as they simultaneously recognize the full impact of the conflict on the other. As a result, the primary goal of the approach is centered more on relationships and self-discovery that serve as the foundation for any kind of lasting resolution. The second important difference is that the transformative approach does not seek a direct path to conflict resolution. The mediator's goal is to first help the parties grow in empowerment and recognition, and a resolution may follow indirectly from this aim (Etcheson, 1999).

Bush and Folger (2005) explain that empowerment involves the belief by parties that they are capable of handling conflict and that they are valuable entities worthy of whatever goal they are seeking. Their awareness of themselves and their self-worth is increased as they build confidence in their ability to address and resolve conflict. Recognition facilitates empowerment. Once empowered, parties acknowledge disputants' human value and are more responsive to the other party's situational constraints and outcome desires; then, they achieve recognition.

Linguistic Style and Transformation in Mediation

How can we begin to think about the idea of relational transformation from a linguistic perspective rather than from a psychological perspective? As previously noted, Bush and Folger (2005) view this construct from a more global psychological perspective focusing on how people feel or come to understand themselves and the conflict situation. Implied in this view is the idea that the linguistic context of the mediation ought to set the stage for this relational transformation. The linguistic shift away from adversarial, nontransformative language use to more transformative language ought to set the stage for, or create the context that facilitates any potential psychological shift from being adversarial to collaborative. We are not arguing for a causal relationship between the two shifts, but instead, we posit that they are correlated. Although the causality remains an interesting research question, the nonexperimental design used in this study limits the claims that may be supported. Following this line of reasoning, the transformative model provides a potentially powerful framework for thinking about how relationally focused language might impact mediation outcomes. Thus, given this framework, what would transformative language look like? What relational cues might begin to establish the kind of context that would enable parties to resolve their dispute? To answer these questions, we look first at the language of empowerment.

Empowerment Language

Bush and Folger (2005) argue that the process of becoming empowered involves the transition from a weak position—lack of ability and action to participate in bringing about resolution—to one of strength. A strong position will be held by someone who is calm, centered, confident, focused on the future, and organized. These individuals regain a sense of strength and control over their challenges. Disputants approaching conflict using a weak position are more likely to feel devalued and threatened by opposing parties, prompting them to become defensive and suspicious of the other party. The need to guard against negative events in their lives often drive parties to become self-protective, hostile, and self-absorbed. Thus, words indicating that disputants are calmer, clearer, confident, decisive, and explicit in defining their goals signal greater empowerment to mediators. And a possible result is a more collaborative context between the disputants. In contrast, words suggesting that disputants are past-oriented, unable to clearly articulate their positions, hostile, and anxious would reflect a less empowering context.

Recognition Language

In explaining how recognition evolves, Bush and Folger (2005) contend that disputants are able to transform their conflict when they can shift away from being internally driven and emphasizing self-protection toward being externally driven and focused on cooperation and information sharing. The shift to recognition is signaled when parties use language indicating that they are more open, attentive, sympathetic, inclusive, and emotional in a positive manner in the process. A more negative recognition context might be signaled with language cues disconfirming others' perspectives or opinions,

building negative emotions associated with rehashing previous issues, and accusing others' of contributing to various problems in the relationship. Although individuals might use these language choices outside of any direct attempts to explicitly empower or recognize one another, the idea is that the accumulation of these kinds of linguistic cues creates a context that facilitates more collaborative interaction. In essence, TM gives us the framework for specifying the kind of relational language that helps build a more productive conflict resolution context.

Theoretical Significance

This shift from thinking about TM only as a psychological phenomenon to viewing it from a linguistic perspective is important theoretically for two reasons. First, prior process theories of relational development in conflict provide some evidence that when disputants synchronize relationally positive language, they are more likely to achieve positive outcomes in conflict settings (Donohue & Roberto, 1996; Olekalns, Brett, & Weingart, 2003). The effect of a relationally transformative linguistic context in achieving the same result is an important empirical question. Moreover, the ability of the linguistic construct to discriminate outcomes in a natural conflict setting also warrants investigation.

Second, this study tests the idea that relationship development is not only a psychological process, but is also reflected in disputants' linguistic styles. Although we have known for some time that every message contains relational information (Donohue, 2003; Watzlawick, Beavin, & Jackson, 1967), conflict scholars have not tested the idea that complex psychological processes can be used to frame our understanding of how this relational information evolves and impacts conflict outcome. Extending the construct of relational transformation beyond its psychological roots is a key objective of this study. Can linguistic markers derived from the TM idea be used to understand how disputants create a relational context that either helps or inhibits dispute resolution?

Transformative Linguistic Style Markers

To identify the linguistic markers that might reflect a relationally transformative context, we turn to work in linguistic styles initiated by Pennebaker and King (1999). These authors were interested in determining whether linguistic behaviors could be markers of psychological constructs. Their methodology, termed Linguistic Inquiry and Word Count (LIWC), involves creating a set of psychological concepts and then determining a set of words, or dictionary, reflecting those concepts. For example, the concept of "Positive Emotion" is reflected by words such as: accept, assure, benefit, cares, enjoy, happy, and the like. There are 265 words in this example construct dictionary. Despite the fact that simple word counts do not consider context, irony, sarcasm, and multiple meanings of any given word, these authors found that linguistic profiles gathered from word counts were generally a robust means of exploring individual personality traits. This link is important because it suggests that each disputant's linguistic style may also reflect the relational context of the interaction. That is, the consistent use of certain words may serve as a reflection of the relational context the disputants are creating as they interact with one another.

To empirically examine this claim, the challenge is to identify the constructs that are theoretically linked with language expressing empowerment and recognition. Niederhoffer and Pennebaker (2002) used a list of 18 linguistic markers that were validated in the Pennebaker and King (1999) article to determine the extent to which subjects synchronized their interaction across various contexts. These 18 markers are divided into three dimensions: (a) linguistic categories that focus various structural features of language such as word count, articles, and prepositions, (b) social/affect categories including words that reflect such concepts as sociability, positive emotion, and negative emotion, and (c) cognitive categories that focus on words related to causation, insight, and certainty. They further argued that these categories capture a broad range of structural, social/affect, and cognitive orientations which reflect the individual worldviews and/or situational goals.

Empowerment Style Markers

Using this theoretical perspective, we identified a set of linguistic constructs for empowerment and recognition. Table 1 contains these linguistic style markers and how they seek to tap the concepts of empowerment and recognition, and whether they are hypothesized to be positively or negatively related to achieving a positive outcome in mediation. As noted previously, empowerment describes the process of transforming from a weak position of retreating away from the conflict and the other party to one of strength by actively and constructively engaging in the dispute. A strong position working to advance the conflict (and therefore positively related to empowerment) is reflected in two sets of words: (a) those related to time (present and future) that show an ability to describe conditions as they are and as they should or could be in the future, and (b) those related to being communicatively open, decisive, and clear (certainty and discrepancy) about one's positions on issues. A weak position marking retreat (and therefore negatively related to empowerment) is reflected in two sets of words: (a) those related to time (past) signaling a continued focus on bringing up highly charged issues, and (b) those related to being inarticulate (anxiety, fillers, and tentative) suggesting that the disputants lack the skill to engage constructively in the activity. The more disputants exchange these positive markers of empowerment while limiting the negative markers the more likely they are to create a context that allows for engaging constructively in the conflict.

Recognition Style Markers

Table 1 also presents eight linguistic style markers of recognition: negations, negative emotion, cause, inclusion insight, positive emotion, cognitive mechanisms, and inhibiting words. Whereas empowerment focuses on engagement, recognition focuses on understanding. Words that are positively related to recognition while showing a more in-depth understanding of the full ramifications of the conflict can also be grouped into two forms: (a) those related to the process of discovering and understanding the issues and one another's perspectives on them (inclusion, insight, and cognitive engagement) and (b) those reflecting the discovery and understanding of positive emotions (positive emotion) that serve to signal the shift away from fear and distress and more toward

Table 1

Description of 16 Linguistic Style Dimensions with Sample Words

Empowerment: the process of transforming from a weak position—lack of ability and action to participate in bringing about resolution—to one of strength indicated by someone who is calm, centered, confident, decisive and organized

Dimension	Description	Sample words	Proposed relationship
Anxiety	Words expressing anxiety	Alarm, panic, scare	Negative
Fillers	Words used to fill up speaking space	Ya know, or whatever	Negative
Tentative	Words expressing uncertainty	Maybe, perhaps, guess	Negative
Past	Words used in the past tense	Began, shared, rubbed	Negative
Present	Words used in the present tense	Appear, changes, means	Positive
Future	Words used in the future tense	Be, shall, will	Positive
Certainty	Words expressing certainty	Always, never	Positive
Discrepancy	Words giving an explicit indication of the tense, mood, or voice of another verb	Should, could, would	Positive

Recognition: the process of being more open, attentive, sympathetic, and responsive to the other party rather than projecting a style that is hostile, defensive, aggressive, and negative

Negate	Words used to nullify	Didn't, never, shouldn't	Negative
Negative emotion	Words used to convey negative emotion	Ashamed, grief, sicken	Negative
Cause	Attempts to explain causes and effects	Because, effect, hence	Negative
Inhibit	Words that are used to restrain or hold in check	Avoid, hesitant, neglect	Negative
Inclusion	Words used to encompass or join categories or ideas	With, and, include	Positive
Insight	Words that reflect discoveries or insights	Admit, motive, wonder	Positive
Positive emotion	Words used to convey positive emotion	Awesome, gentle, nice	Positive
Cognitive engagement	Processes used to reach explanations or achieve results (connecting concepts)	Arrange, discover, quit	Positive

feeling the benefits of engagement. As disputants exchange these positive markers of recognition or understanding and limit the exchange of negative markers, the more they are likely to establish a context of learning about what is happening to themselves and to one another.

This theoretical shift away from thinking about relationships only as a psychological construct toward viewing them as a linguistic accomplishment that evolves through on-going message exchanges provides the rationale for this study. Is it feasible that when disputants consistently display the positive markers of empowerment and recognition they essentially create a more collaborative context that makes it easier to address sticky substantive issues? If these styles discriminate between contexts where a settlement occurred or did not occur, then, this evidence will support the notion that building a transformative context is related to actual outcomes.

One additional issue critical for the examination of empowerment and recognition language in mediation is related to the notion of success in mediation. The dependent

variable in this study is settlement. In seven of the actual mediations used in this study, the disputants settled their disputes after the approximately 2-hr sessions they spent with the mediators. In the other 13 mediations, disputants did not settle after this 2-hr session. Settlement is the first step toward a successful mediation in the sense that it results in a predivorce child custody and/or visitation agreement. There are no data about the long-term impact or ''success'' of these agreements—only that the parties created this initial agreement. In the other 13, parties reached an impasse and their dispute when to the next level, usually to an evaluator and then to a judge for final disposition. Thus, we will use the terms ''settled'' and ''unsettled'' to discriminate between the two conditions.

Given that the settlement outcomes should be related to the use of linguistic markers, the first two hypotheses are advanced:

H1: Disputants who reached a mediated settlement will have more positively associated empowerment linguistic markers (present, future, certainty, and discrepancy) and less negatively associated empowerment linguistic markers (anxiety, fillers, tentative, and past) than disputants who did not reach a settlement.

H2: Disputants who reached a mediated settlement will have more positively associated recognition linguistic markers (inclusion, insight, positive emotion, and cognitive mechanisms) and less negatively associated linguistic markers (negate, negative emotion, cause, and inhibition) than disputants who did not reach a settlement.

Linguistic Synchrony

The choice of disputants' linguistic styles represents the first step of working toward relational transformation in mediation. Mediators must encourage disputants to display the positive markers of empowerment and recognition to transform the dispute's context. However, the TM approach is clear that both parties must also converge or synchronize their language. Thus, the second step of working toward a relationally transformative context is encouraging the synchrony or convergence of positive empowerment and recognition markers. If only one party adopts transformative style markers and talks much more frequently than the other party, the context may appear to be transformative, but it lacks synchrony. Based on this argument, it seems important to explore the idea that transformation is not just the accumulation of language, but the mutual exchange that serves to create the kinds of relational shifts necessary for conflict resolution.

To understand the essential nature of synchrony and its role in achieving transformation, it is important to understand its conceptual roots which begin in Communication Accommodation Theory (CAT) (e.g., Giles, Coupland, & Coupland, 1991). This theory seeks to explain how individuals negotiate meaning as they coordinate their speech behaviors, language use, and subsequent responses to one another. Explained through Byrne's (1971) similarity attraction paradigm, which holds that individuals are attracted to others they perceive as similar to themselves, CAT contends that people increase the likelihood of interpersonal attraction by making their communication

behaviors similar to one another. Convergence strategies bridge the social distance and reduce perceptions of difference, while divergence strategies are intended to emphasize difference and are more exclusionary. Also, individuals can continue using their own styles (maintenance) without reference to the others' cues (or as a deliberate exclusionary tactic). Overall, interactants respond positively to their partners' moderate and perceived nonmanipulative convergence and negatively to divergence and maintenance strategies.

Interestingly, total convergence is often viewed negatively since it is generally perceived as patronizing or inconsistent with one's role in a situation or an organization. For example, a physician who seeks to totally converge with a patient who uses a very culturally different communication style runs the risk of being perceived as insincere or patronizing. Similarly, a nurse who uses the same kinds of power strategies (e.g., methods of ordering or directing team members) as the physician is likely to be perceived negatively. Research indicates that speakers often find an optimal level of convergence or "sweet spot" for growing their interaction (Giles, Mulak, Bradac, & Johnson, 1987).

To assess convergence, Niederhoffer and Pennebaker (2002) proposed focusing on how individuals' word usages covary or synchronize in conversation. As one person is speaking, the other person is listening and forming a reply based on what is being said. Each person's statement acts as an impetus for the other's response (Sears, 1951). In this way, the word usage of participants is interdependent. When conversational parties experience the matching of behaviors, they are said to be in synchrony. Niderhoffer and Pennebaker argue that when the linguistic style of one party is matched by others during conversation, they are said to be in linguistic synchrony. They also argue that when people speak, they are advocating for a certain position that they hold. This position may be inferred to reflect the way they view the situation or the world. The degree to which people's speech represents their thoughts and beliefs is the extent to which their worldviews or situational goals can be inferred. When conversationalists experience linguistic style matching, they experience matching in worldviews or views of the current situation. This synchrony is positively correlated with liking, social integration (Niederhoffer & Pennebaker, 2002), and agreement (Taylor & Donald, 2003, and therefore may be related to negotiation outcome.

Previous studies have shown that a direct relationship between linguistic style matching and interaction outcome exists (Niederhoffer & Pennebaker, 2002; Taylor & Thomas, 2008). Niederhoffer and Pennebaker (2002) analyzed texts of conversations of participants who chatted online with one another who later reported how well they got to know the other person, how smoothly the conversation went, and how much the enjoyed the conversation. These texts were analyzed across 18 dimensions of linguistic style that had been shown to be reliable in the past (Pennebaker & King, 1999). Results indicated that linguistic style was positively associated with the outcome of the interaction. Likewise, Taylor and Thomas (2008) analyzed transcripts of conversations between hostage takes and hostage negotiators. They purported that as the linguistic style of matching of negotiators and hostage takers increased, it would reflect similarly held beliefs about the conversation and desired outcomes. This in turn was hypothesized to

predict more settlement outcomes than negotiators and hostage takes who had lower levels of linguistic style matching. Results supported their synchrony hypothesis.

Following from these supportive findings, it may be inferred that during divorce mediations, husbands and wives who match in linguistic style around linguistic markers that promote empowerment and recognition will be reflecting similarly held linguistic representations about their relationships while also building a relational framework that enables them to reach agreements on substantive issues. For example, parties synchronizing on future tense would be using a linguistic structure capable of supporting a discussion of proposals for solving specific custody and visitation issues.

It is important to note that this article focuses on synchrony as a measure of transformative accommodation between disputants who are husbands and wives in presettlement divorce mediations. As a result, we are not focusing on synchrony between disputants and the mediators for two reasons. First, transformation is an issue solely between disputants. The mediator seeks to facilitate this condition, but the transformation must be accomplished between the disputants according to the theory. Second, examining synchrony between husbands and mediators and wives and mediators adds two additional layers of complexity into the analysis. Given that these layers might be interesting for another analysis, they are peripheral conceptually to the direct examination of transformation between the disputants. Thus, all hypotheses and analyses will focus on the disputants in predivorce mediations.

At this point, it is important to distinguish between synchrony as a micro-, turn-by-turn process and synchrony as a more macro context-based approach. For this study, it is more productive to focus on synchrony from a more macroperspective for two reasons. Our rationale is that conceptually one would not necessarily expect that each utterance would contain specific transformative relational messages. That is, they are not sufficiently common to be a part of each utterance. As a result, failure to reciprocate, for example, recognition language on an immediate next talking turn would not necessarily indicate that a transformation context was not emerging. These messages would likely emerge less frequently making a micro-approach less sensitive to detecting the extent to which transformative relational messages were accumulating over a longer period of time. Based on this rationale, we are more interested of whether the linguistic context becomes more or less relationally positive over time, regardless of speaker or turn-by-turn exchange, across an entire episode of communication. The advantage of this perspective is that it provides a sufficiently large amount of time for the use of various transformative linguistic markers to be used by the participants. For example, the use of words reflecting ''certainty'' may not be sufficiently common to explore synchrony on a turn-by-turn basis. Thus, looking more broadly at synchrony increases the sensitivity of each linguistic marker in detecting its ability to reach the relational conditions of empowerment and recognition.

In this study, we examine macrosynchrony to render a picture of how disputants either build or fail to build the relational conditions of empowerment and recognition. That is, we looked at synchrony across eight linguistic style constructs (four for positive empowerment, four for positive empowerment) for the whole mediation session in

which we divided the sessions into four equal segments. This strategy will provide a more comprehensive understanding of how synchrony works to build a more relationally transformative experience for the disputants.

Based on these conceptual foundations, we propose the last two hypotheses:

H3: Disputants will be more likely to achieve macrosynchrony around positive style markers associated with empowerment (present, future, certainty, and discrepancy) in mediations that reached settlement than disputants who did not reach a settlement.

H4: Disputants will be more likely to achieve macro synchrony around positive style markers associated with recognition (inclusion, insight, positive emotion, and cognitive mechanism) in mediations that reach a settlement than disputants who did not reach a settlement.

Methods

To analyze the conversations between husbands, wives, and mediators during divorce mediations, the authors used the 2007 version of the Linguistic Inquiry and Word Count (LIWC) program available online: http://www.liwc.net/. LIWC compares the words a speaker uses to the words contained in the dictionaries of the indicators. In this study, sixteen indicators comprising two categories that both positively and negatively reflect empowerment and recognition were identified (see Table 1). Eight linguistic dimensions that reflected empowerment were anxious, fillers, tentative, certain, discrepancy, past, present, and future. Eight indicators for recognition were also identified: negations, inclusion, negative emotion, cause, insight, positive emotion, cognitive mechanisms, and inhibition. The program analyzes the text files according to these categories and produces frequency rates in terms of percentage of total word usage for each indicator. For example, if one anxiety word is used in a text of 100 words, LIWC will report 1% for this indicator. The results produce an overall picture of each speaker's linguistic style. These indicators, a short description of each, and their proposed relationship (positive/negative) are included in Table 1.

The data were obtained from 20 divorce mediations concerning predivorce child custody conducted in the mid-1980s in Los Angeles County, California. Three speakers were represented in each conversation: the mediator, the husband, and the wife. Mediation outcome was determined by whether or not the cases settled. If the case was not settled and had to be heard by a judge, it was labeled as an unsettled mediation. This categorization resulted in seven settled and 13 unsettled mediation events.

After the mediations were transcribed, a text file of each complete transcript was prepared for analysis according to standards for the LIWC (2007). These files were then analyzed to investigate whether the husband and the wife had similar underlying linguistic styles across the two settlement conditions. To conduct such an analysis, the words used by each husband and wife were extracted from each transcript to obtain a profile of each speaker's linguistic style. Then, the linguistic styles of the husband and wife in each transcript were compared across the linguistic constructs to determine differences in overall frequency of use and linguistic synchrony. Similar rates of usage would imply

that husbands and wives were expressing the same goals and overall understanding of the conversation. This method of inquiry allows the researchers to determine whether any two sets of speakers are matching in linguistic style.

Results

The first hypothesis predicted that disputants who achieve a settlement will use more positive empowerment words including present, future, certainty, and discrepancy and use fewer negative empowerment words including anxiety, fillers, tentative, and past than the unsettled disputants. To test this hypothesis, a total of eight-one-tailed independent samples *t*-tests were conducted between the settled and unsettled disputants, with one test per linguistic dimension. Results for this hypothesis were mixed as indicated in Table 2 which displays means, standard deviations, *t*, significance values, and effect sizes.

For the positive empowerment markers, four-one-tailed *t*-tests assessed whether differences between settled and unsettled disputants existed across each of the predicted linguistic dimensions. The use of future and discrepancy words differed significantly between settled and unsettled mediations in the direction predicted. Disputants who

Table 2

One-Tailed t-*tests of Overall Linguistic Use between Settled and Unsettled Disputants*

	Settled		Unsettled					
	Mean	SD	Mean	SD	*t*	*df*	*p*	*d*
Empowerment								
Positive								
Present	13.31	2.30	13.42	1.92	−.17	38	*ns*	
Future	1.53	.42	1.13	.56	2.31	38	<.05	.75
Discrepancy	3.05	.81	2.44	.88	2.15	38	<.05	.70
Certainty	1.32	.41	1.74	1.01	−1.50	38	*ns*	
Negative								
Anxiety	.26	.19	.24	.15	.26	38	*ns*	
Fillers	.36	.24	.26	.17	1.62	38	*ns*	
Tentative	3.34	1.19	2.03	.83	4.06	38	*ns*	
Past	3.43	1.19	4.73	1.60	−2.66	38	<.01	.86
Recognition								
Positive								
Inclusion	5.53	.86	5.52	.99	.02	38	*ns*	
Insight	3.09	1.23	2.79	1.01	.83	38	*ns*	
Positive emotion	3.58	1.57	2.94	.62	1.85	38	<.05	.60
Cognitive mechanisms	20.97	2.33	19.65	2.35	1.70	38	<.05	.55
Negative								
Negate	3.30	.62	4.06	1.11	−2.38	38	<.05	.77
Negative emotion	1.13	.48	1.38	.51	−1.52	38	*ns*	
Cause	1.45	.54	1.92	.59	−2.45	38	<.01	.79
Inhibition	.34	.13	.50	.41	−1.42	38	*ns*	

reach settlement used more future and discrepancy words than the unsettled disputants. However, the use of present and certainty words did not differ significantly between the two conditions. For the negative empowerment markers, again, four-one-tailed *t*-tests were used to assess whether settled disputants used fewer negative empowerment words than unsettled disputants. Only the use of past words by settled disputants was significantly fewer than unsettled disputants. The use of anxiety, fillers, and tentative words did not differ between the disputants. As a result, H1 received partial support.

Hypothesis two predicted that settled disputants will use more positive recognition markers: inclusion, insight, positive emotion, and cognitive mechanisms words than the unsettled disputants. As in H1, four one-tailed *t*-tests assessed the difference between settled and unsettled disputants' use of each set of linguistic markers. Similar to hypothesis one, the results partially supported the hypothesis.

In the use of positive recognition markers, settled disputants used more positive emotion and cognitive mechanism linguistic markers in the direction predicted. Yet, no significant difference was found between inclusion and insight linguistic markers. When negative recognition markers were considered, settled disputants used fewer negate and cause words than unsettled disputants. However, negative emotion and inhibition linguistic usage did not differ.

Hypothesis three predicted that husbands and wives in settled mediations will be more likely to synchronize their interaction around each of the four positive empowerment linguistic indicators: present, future, discrepancy, and certainty than disputants in unsettled mediations. To prepare for the analysis, each of the 20 transcripts was first divided into husband and wife texts. Then, each of these texts was further subdivided into four even segments according to the length of the transcript: time1, time2, time3, and time4. For each husband and wife, LIWC generated a separate linguistic profile for all four positive empowerment linguistic categories across all time segments. In essence, there is a linguistic profile for each member of the disputants across each of the four time segments.

On a conceptual level, synchrony is the process of communicative matching between disputants. Therefore, disputants whose linguistic styles are more closely matched at the end of the interaction than at the beginning of the interaction are viewed as achieving synchrony. In H3, the goal is to assess synchrony at an empirical level for the positive empowerment linguistic markers. Initially, intraclass correlation coefficients were calculated between disputants in all time blocks in order to compare time1 with time4. However, one concern with this type of agreement analysis at the dyad level is the effect of group membership (Gonzalez & Griffin, 1999). Griffin and Gonzales (1995) clarify that in a dyad level data analysis where the disputants are distinguishable, meaning that each member is drawn from a different class of samples such as husband and wife, the correlation between group membership and outcome measures may affect the findings (e.g., any variance contributed by the fact that the disputant is a husband or a wife). Following the data analytic procedures outlined by Gonzalez and Griffin (1999), partial correlation coefficients were calculated between the linguistic use of disputants controlling for group membership. This procedure essentially yielded an identical metric as the intraclass correlation coefficient, removing any group membership effect.

To test whether synchrony occurred around each of the four positive empowerment markers, time1 (first quartile of the transcript) partial correlations for each linguistic marker were contrasted with time4 (last quartile) partial correlations. Disputants who achieved synchrony should have time4 partial correlations that are above and beyond sampling error in time1, indicating statistically significant difference. Moreover, the partial correlation should be significantly more positive in time4 than in time1, indicating additional agreement or linguistic matching between the disputants. To test this relationship, a 95% confidence interval was drawn around each of the partial correlations in time1. Table 3 contains the partial correlation, confidence intervals, and change in correlation. Because of the relatively small sample size for settled and unsettled disputants, the 95% confidence interval is relatively large. Time4 is significantly different from time4 correlation if time4 correlation is not included within time1 confidence intervals.

Table 3

Intraclass Correlations and Confidence Intervals Between Husband and Wife at Time1 and Time4 Intervals for Settled and Unsettled Disputants

Linguistic category	Time 1 intraclass r	95% confidence interval		Time 4 intraclass r	Δr
		Lower	Upper		
Positive empowerment*					
Settled disputants					
Present	.52	.14	.90	−.34	−.86
Future†	−.57	−.93	−.22	.45	1.02
Discrepancy†	−.64	−.95	−.33	.66	1.30
Certainty	.60	.26	.94	.63	.03
Unsettled disputants					
Present	.39	.06	.72	.63	.24
Future	.09	−.29	.47	.15	.06
Discrepancy	.15	−.23	.53	.31	−.06
Certainty	.27	−.09	.63	.31	.04
Positive recognition‡					
Settled disputants					
Inclusion	.08	−.44	.60	.36	.28
Insight	.51	.12	.90	.88	.37
Positive emotion	−.12	−.64	.40	−.77	−.65
Cognitive mechanism	.23	−.27	.73	.14	−.09
Unsettled disputants					
Inclusion	−.19	−.56	.18	−.08	.11
Insight	.19	−.18	.56	.54	.35
Positive emotion	.22	−.15	.59	.38	.16
Cognitive mechanism	.31	−.04	.66	.13	−.18

*$df = 11$.

†Significant difference between time1 and time4 in the positive direction. All correlations reflect partial correlations controlling for dyadic membership.

‡$df = 23$.

The data revealed that settled disputants synchronized around the use of two positive empowerment linguistic markers: discrepancy words and future words. Certainty and present linguistic markers, however, did not shift in the predicted direction. On the other hand, as predicted, unsettled disputants failed to synchronize their linguistic use across any of the positive linguistic categories beyond sampling error. Two linguistic markers, present and positive emotion, shifted significantly in the opposite direction as predicted. The average correlation shift from time1 to time4 is +.37 for settled disputants, although unsettled disputants shifted an average of +.07. Given that settled disputants synchronized across two of the four linguistic categories, the two linguistic categories that shifted in the opposite direction, and unsettled disputants did not synchronize across any category, H3 is partially supported.

H4 predicted that settled disputants will be more likely to achieve synchrony in the positive recognition linguistic markers including inclusion, insight, positive emotion, and cognitive mechanism, than unsettled disputants. An analysis identical to the procedure used to test H3 was conducted for H4, but focusing on the positive recognition linguistic categories. No significant shifts in linguistic categories occurred for disputants who either reached or did not reach a settlement in mediation, suggesting no synchrony around recognition language. The complete results are presented in Table 3. On the average, settled disputants shifted in Pearson correlation of .09 in the negative direction, indicating less agreement at time4 than time1. Unsettled disputants actually shifted an average of .11 in the positive direction. However, these differences may be attributable to sampling error. Since no clear pattern of data emerged, H4 is not supported.

Discussion

The results of this study provide some support for the hypotheses and the idea that transformative language is positively associated with settlement in divorce mediation. That is, when husbands and wives use linguistic markers reflecting the constructs of empowerment and recognition, they are more likely to settle their disputes. In addition, when disputants synchronize in their use of two of the four positive empowerment markers (future and discrepancy) over the course of their interaction, they are more likely to settle their disputes. On the other hand, the results indicate that no synchrony occurred around the recognition markers for both settled and unsettled disputants.

More specifically, hypothesis one predicted that disputants who achieve a settlement will use more positive empowerment words including present, future, certainty, and discrepancy while using less negative empowerment words: anxiety, fillers, tentative, and past than the unsettled disputants. Results indicated that disputants in the settled mediations used significantly more future and discrepancy words and significantly less past words than disputants in the unsettled mediations. Thus, empowerment seems to be related to future plans and how to implement them (discrepancy words) and less interested in dwelling on the past. Issues related to pulling thoughts together (anxiety, fillers, and tentative words) did not differ between settled conditions suggesting that empowerment language is more about imagining and crafting the future which is consistent with the conceptual orientation associated with transformative talk.

Hypothesis two focused on recognition markers and predicted that settled disputants will use more words associated with inclusion, insight, positive emotion, and cognitive mechanisms words than the unsettled disputants while also using fewer words that might prevent recognition including negate, cause, negative emotion and inhibition. Results indicated that the settled disputants used more positive emotion and cognitive mechanisms (connecting concepts) and fewer negate and cause words than unsettled couples. These results suggest that the kinds of recognition linguistic markers that discriminated most were focused on building a positive discussion climate that permitted a deeper understanding of the issues for disputants. The settled disputants appeared to shy away from invalidating one another's perspectives on past problems. Again, these results are consistent with the how recognition language might impact the progress of disputes according to the TM framework.

The last two hypotheses focused on synchrony and produced some interesting results as well. These hypotheses predicted synchrony on the positive markers of empowerment and recognition. Regarding empowerment, the settled disputants appeared to synchronize their language around issues of discrepancy and a focus on the future, whereas the unsettled disputants failed to achieve synchrony across any of the positive empowerment markers. So, not only do settled disputants show more empowerment language around building their future agreement, they synchronize around these markers as well. In contrast, there was no apparent synchrony around the recognition linguistic markers.

This finding poses the question for understanding why settled disputants synchronized their language use around some of the recognition markers and not empowerment markers. Specifically, these disputants synchronized nouns, adjectives, adverbs, and verbs related to the future as they charted their path toward settlement. Perhaps this language structure created a "future frame" that propelled them to agreement and empowered them to move forward. Yet, synchrony around the recognition markers failed for the settlement disputants perhaps because there are many more diverse ways of achieving recognition. Recognition may be a more complex relational process than empowerment. Emotions will be up and down and the level of cognitive engagement may be inconsistent from episode to episode making synchrony inherently more difficult for this component of TM. The results reveal that settlement disputants were using more recognition language, but they were not synchronizing around it. They did not sustain consistent recognition forms suggesting that no coherent recognition "frame" emerged in the course of their interaction like it did around the empowerment markers. Empowerment synchrony around developing a future orientation may be an important key in resolving these kinds of disputes with recognition synchrony emerging as a less critical issue for mediators to address.

The significance of these results for mediation is that scholars and practitioners now have some empirical evidence that language consistent with the goals of TM discriminates between agreement conditions in mediation. Couples in a divorce mediation context who use language focusing on building the future and digging deeper into the issues and synchronizing around empowerment markers are more likely to settle their disputes. This study did not find that all the hypothesized empowerment and recognition markers discriminated between settlement conditions. As a result, the findings from this study are not conclusive; rather, they suggest that settlement-oriented disputants appear to center their interaction on a few key markers as they work through their

issues. Since we did not gather any data to determine whether the use of these markers actually transforms the parties' relationships, we make no claims about any kind of relational transformation. However, when parties center their linguistic styles on some key empowerment and recognition markers, they appear better able to settle their disputes in this specific context. Moreover, disputants who shift their use of particular empowerment markers are also more likely to settle. The linguistic markers identified in this research may be applied to future research endeavors related to divorce mediation in an effort to understand if a TM environment is fostered.

A key issue associated with the generalizability of these results focuses on the contextual nature of language. Since every situation significantly impacts the kind of language parties select to create that context, the results obtained here may or may not generalize to other dispute contexts or even other mediation contexts. However, there seems to be mounting evidence that a future orientation in conflict and negotiation draws parties together and encourages more collaborative problem solving (De Dreu, Weingart, & Kwon, 2000; Donohue & Druckman, 2009). The contribution this article makes to that observation is the idea of synchrony. Not only does the future talk seem to move agreement along, but both parties synchronizing around this kind of talk seem to add significantly to the resolution process.

One of the most important contributions of these findings is that language associated with the transformative model appears to matter. The more mediators can help parties keep their language focused on the future the more empowered disputants become in forging a more productive relationship. For recognition, this article also demonstrates that digging deeper into issues provides significant value for disputants. The investment in linguistic use seems to aid in constructing a collaborative dispute context. The TM language that really matters might come down to a few relatively important markers that create the kind of context necessary for dispute resolution.

In light of these findings, the results should be considered within the context of its limitations. It is not clear why particular linguistic markers were more salient than others. One possibility is type I error. In order to test all the hypotheses in the current study, 32 statistical tests were computed, which increased the likelihood of type I errors. A way for addressing this concern may be adjusting the alpha level for each set of tests for each hypothesis. However, because of the relatively low sample size of the available data, this study is intrinsically underpowered. Therefore, alpha level was not adjusted in order to conserve some statistical power. The binomial probability of obtaining the current findings, given the alpha level of .05, is .000017. This probability indicates that the current findings are extremely unlikely to be attributable to type I error alone.

Despite these limitations, one useful perspective may be to interpret the results in terms of the obtained effect sizes. Low sample sizes contribute to a higher likelihood of type II error. However, to achieve statistical significance, the effect size has to be relatively large. In the current study, the effect size averaged .72 between the linguistic categories. In terms of synchrony, for time4 correlation to be more positively correlated beyond the 95% confidence intervals in time1, a very large shift in correlation has to occur. These shifts averaged a correlation of 1.16 in the linguistic categories of future and discrepancy. The large effect sizes found in the current study are suggestive that the linguistic discrepancy and synchrony are relatively strong factors in the interplay of mediation.

Future research ought to probe the power of these linguistic styles in other dispute contexts. For example, is it likely that these key empowerment and recognition makers also discriminate between successfully and nonsuccessfully negotiated hostage incidents? Are we likely to see the same kinds of language choices able to empower hostage takers and negotiators to successfully settle their disputes (Taylor & Donald, 2003)? Experimentally manipulating language choices would provide additional insights about the power of these choices to build more collaborative contexts. We can envision a study in which confederates are asked to focus on these concepts with disputants to determine whether synchrony around these empowerment and recognition makers results in increased settlements and more importantly improved relationships in negotiations.

The focus of TM has always been about human development and growth through conflict. TM takes the important stand that conflict can only realize its potential value in achieving "moral growth" when the parties transform their relationship with one another. Mediators have that opportunity since they work closely with disputants in a highly charged conflict context. The value of this study is perhaps expanding how we think about TM. Rather than focusing only on the more abstract psychological goals of the transformation process, this study makes the case that language associated with this construct is also a part of that process. While we did not explore whether language use achieved any kind of psychological transformation, we know that how mediators shape the TM linguistic context matters. Perhaps now we can reenergize and possibly broaden the exploration of TM's power in dispute resolution.

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Dr. William A. Donohue is currently a distinguished professor of Communication at Michigan State University. He received his Ph.D. from The Ohio State University in 1976. Dr. Donohue has published extensively in the areas of conflict, communication, negotiation and mediation while also conducting workshops and other intervention activities focusing on communication, leadership development, and conflict management. His co-authored book, Framing Matters: Perspectives on Negotiation Research and Practice in Communication, provides a broad understanding of the role of framing in negotiation research. Dr. Donohue is a recent past president of the International Association for Conflict Management and is on the editorial board of several major journals.

Yuhua (**Jake**) **Liang** (MA, California State University, Long Beach) is a doctoral student in the Department of Communication at Michigan State University. His research agenda relates to communication technology and persuasion. He has directed several research projects using linguistic properties and message characteristics to understand their relative impact on persuasion and information processing.