

Mediating at Burning Man, 2010: Getting to the Authentic Core and Finding Freedom

*by Bob Sheppard**



Ron Kelly and Bob Sheppard, Mediators at Burning Man Mediation Tent, August 31, 2010

Mediation, at its best, involves participants getting to the core of a dispute, coming up with various options and scenarios, and then working out a resolution of the problem, that, even if not ideal, is acceptable to all parties. Conducting mediations at the annual gathering at Burning Man¹ takes this process to a new level.

I had the opportunity to serve as a Mediator at the end-of-summer 2010 Burning Man gathering in Nevada – located in the Black Rock Desert about two and a half hours northeast of Reno – and the experience was one of the most satisfying and meaningful I've had in my 20+ years conducting mediations and five years participating at Burning Man. It's not a conventional approach to mediation, but perhaps that is why it is so particularly valuable.

"Volunteerism"/Participating in Creating the The Burning Man Community

Here's the background story. When Ron Kelly² invited me to join him and a few other mediators to take a slot at the Dispute Resolution tent at Burning Man 2010, I eagerly agreed to volunteer my services. Why you ask? I offered my services to contribute to this come-to-life "city" of creative revelers, artists, adventurers and active participants in which a guiding principle

of the Burning Man community is participating, volunteering and “gifting.” As it turns out, my three hour stint in the Dispute Resolution tent at Burning Man proved to be one of the more extraordinary experiences in my mediation career. The gift ended up being as much, if not more, to myself and my professional/personal growth, than to the community at large and the mediation participants.

The Bedouin-like tent which housed the mediation facility at Burning Man consisted of a comfortably shaded 8 x 8 foot semi-enclosed (on three sides) structure with three folding chairs under the tent. Above the tent entrance was displayed a large professional-looking sign stating “**Fighting with Anyone? Help & advice here**” with a smaller sign at the tent entrance which read: “**The Mediator is in.**” Build it and they shall come. And they did.

My First One-Party Mediation Session

I took my chair at the beginning of my scheduled slot to offer mediation services, and within minutes in walked a angry young man wanting help figuring out what to do about an unpaid \$400 loan he made a year ago to his friend (who was not with him). So how is this mediation? With only one angry person in front of you? I could say I was helping him mediate with his darker side, but more precisely, this was more in the realm of "coaching" to help resolve a dispute – a task that mediators do quite frequently.

I prefer to think of this chat as a one-party mediation session. The unpaid creditor was fuming mad. “Should I hurt him?” “Should I do \$400 of damage to his car to get even?” “Should I simply talk to him? Bug him?” “What if I sue him?” I just let this irate young man emote and gripe. When he seemed to be done, I calmly asked him to go over which options might lead to resolution and which one seemed most true to the values which had led him to loan his friend the money in the first place. We jointly went over the pros and cons of each scenario. Twenty minutes later, he agreed to take the pacifist/communicative approach in dealing with his debtor when he next saw him, and he said he would remind the debtor of the importance of keeping an agreement, and that he would not forgive him (legally, literally and figuratively). At the end of our session, the once angry young man said he felt balanced and clear-headed about how to resolve this conflict, and expressed heart-felt gratitude for the "mediation." The process worked.

I later reflected: "Was this really mediation or was this therapy/counseling?" I realized that in the business of conflict resolution, the two often overlap.

The Domestic Discord Dispute

Next came the middle-aged couple who had signed in on the waiting board outside the tent, eagerly waiting to get their time with the Mediator. They had just finished a heated argument over one of the more common domestic conflicts at Burning Man gatherings: how to deal with his personal attraction to someone else and her feeling resentful over his expression of that attraction. This would seem to come up often since Burning Man participants are often seductively/outrageously dressed, there is general sense of openness to sexual explorations,

and encouragement of free expression. The combination seems ripe for inter-personal conflicts, especially amongst couples. Should he express to her his attraction to another woman whom he saw while they were bicycling, and what should be done with her feeling angry and critical of him for him expressing those feelings of attraction to another?

Quite magically, the complaints turned to expressions of authentic feelings, which turned to tears as each of them described their compassion and love for the other. After the Mediator asked them to find and declare their common ground, they reached out toward each other and expressed their commitment and praise for their meaningful relationship (meaningful connections and relationships are another theme encouraged at Burning Man). They agreed to respect each other's right to openly state their feelings -- be they for each other or toward another person. To someone like me who works primarily in commercial disputes, this session felt more like marriage counseling than formal mediation. Again, I pondered the intersection between counseling and mediation.

The Family Conflict

Then came a demur 30 year old Asian immigrant who openly shared with me her personal struggle dealing with her controlling parents, while trying to find her independence and unique place in the world. Again, the Mediator asked her how she could resolve the conflicts plaguing her and her family, and she openly and authentically worked through her own emotional burdens, with the Mediator simply asking her to reflect and talk about the core issues to be identified and how she could best resolve her conflicts. She seemed to feel liberated after the disclosures and honest expressions. Once again, I questioned whether this was mediation, counseling...or both? The latter rang true, as I more strongly embraced the idea that helping people in conflict often involves a cathartic and psycho-therapeutic dynamic.

Lessons Learned as a Mediator

And what lessons did I learn from this experience? A variety of common themes arose from my conducting these "mediation" sessions at Burning Man: open, calm, non-judgmental and exploratory communication helps people in conflict find a meaningful path toward resolution of their conflicts. Allowing this process to unfold not only liberated the people in conflict who entered the Burning Man Mediation Tent, but also allowed the Mediator to leave the Mediation tent with a renewed sense of freedom and liberation (enabling all of us go out and enjoy the community energy that makes Burning Man the unique scene it is).

Many unanswered questions remain – including how best to integrate these insights in settings far more formal than the Burning Man mediation tent, and how to do so within the boundaries of my professional skills and limitations when helping people resolve commercial/civil disputes. My two decade long journey as a mediator certainly became richer and more profound as a result of this unique mediation experience at this most unique setting.



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Footnotes:

1 Burning Man is an annual gathering in the Nevada desert attracting over 50,000 participants who engage in what the organizers characterize as "an experiment in community, radical self-expression through art, and radical self-reliance."

2 Ron Kelly is a respected educator who trains people to become mediators. He is considered one of the architects of California laws promoting confidentiality in mediation. Ron has been a Burning Man participant for over a decade.

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