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## Mediation, Facilitation, and Negotiation: Understanding the Differences

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### DIFFERENCES AMONG MEDIATION, FACILITATION, AND NEGOTIATION

#### Mediation

- **Definition:** the intervention of an acceptable, impartial, and neutral third party in assisting two or more individuals (or groups) in a dispute or conflict.
- **Goal:** to assist the parties in voluntarily reaching their own mutually acceptable settlement.
- **Mediator's Role:** to help people in conflict to coordinate and be more effective in their bargaining so as to reach a settlement or agreement. For mediation to work the mediator must be viewed as having no decision-making power or authority to force an agreement.

#### Facilitation

- **Definition:** assistance of an impartial individual in the design and conduct of a problem-solving meeting.
- **Goal:** to improve the problem solving process so that the participants may arrive at their jointly agreed upon goal.
- **Facilitator Role:** to design the process to enhance discussion and information exchange in a fair and impartial way. The facilitator conducts the meeting to maximize participation.

#### Negotiation

- **Definition:** a problem solving process where two or more people voluntarily discuss their differences and attempt to reach a joint decision on their common concerns.
- **Goal:** an exchange or promise made by the parties to each other.
- **Negotiator Role:** to identify issues of concern, represent his or her needs and interests, generate possible settlement options, and bargain over the final terms of the agreement. The negotiator represents one of the parties (or groups) in the dispute.

**Table 1. Defining Characteristics of Alternative Methods of Dealing With Conflict**

<b>Characteristics</b>	<b>Facilitation</b>	<b>Negotiation</b>	<b>Mediation</b>
<b>Existing Conflict</b>	Not necessarily	Necessarily	Necessarily
<b>Alternative to Litigation</b>	Not Usually	Usually	Usually
<b>Useful for Public Policy</b>	Yes	Not Usually	Not Usually
<b>Confidentiality</b>	Sometimes	Usually	Usually
<b>Neutrality</b>	Yes	No	Yes
<b>Stake in Outcome</b>	No	Yes	No
<b>Seeks Agreement</b>	Sometimes	Yes	Yes
<b>Parties Have Power to Decide</b>	Not Necessarily	Yes (highly desirable)	Yes
<b>Requires Parties to Make Trade-offs</b>	No	Yes	Yes

**Table 2. Appropriateness of Facilitation, Negotiation and Mediation**

<b>Characteristics</b>	<b>Facilitation Works Best When</b>	<b>Negotiation Works Best When</b>	<b>Mediation Works Best When</b>
<b>Emotional Intensity</b>	Low to moderate	Moderate to high	Moderate to high
<b>Parties/Issues</b>	Not polarized	Are polarized	Are polarized
<b>Dependency of Parties</b>	May or may not exist	High for this issue	High for this issue and in general
<b>Parties Trust</b>	Reasonable Level	Is such that each can leverage or influence each other	Ongoing and each can leverage or influence each other
<b>Parties Will Benefit</b>	From a jointly acceptable outcome	From a jointly acceptable outcome	From a jointly acceptable outcome
<b>Agreement</b>	Not essential but desirable	Purpose of the negotiation	Purpose of mediation
<b>Deadline</b>	No urgency	Exists - there is a sense of urgency	Exists - there is a sense of urgency
<b>Number of Parties</b>	Medium to Large - 10 to 50	Small - 2 to 5	Small to Large - 2 to 50