Interpreter as Mediator: A Practical Perspective

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My Role

• I speak Spanish and Portuguese and have spent more than 20 years working and interacting with Spanish and Portuguese-speaking communities in a variety of contexts. I work as a liaison between cultures from North America and Central/South America and the Caribbean.

• My task is to help you accomplish the purpose of today’s training...
Purpose of Today’s Training

• To examine:

  Part 1: What mediation is and what it means to be to be a cultural mediator

  Part 2: Why cultural distinctions exist (e.g. perception of time, personal/professional relationships) and why they are important to the mediator (and the interpreter)

• Part 3: 2 exercises examining the application of mediation techniques to interpretation
What is Mediation?

**Mediation**: Assisted Negotiation
- The provider-patient relationship is a negotiation

**Mediator**: Neutral that assists parties have a conversation that they would not otherwise be able to have

**Cultural Mediator**: Neutral that assists parties from different cultural linguistic backgrounds (e.g. provider and patient) to have beneficial conversations
Patients and Medical Adherence

E.g., Factors that can lead to non-adherence

• patient’s feeling that doctor does not understand him/her

• patient’s use of alternative treatment/medications

• Different cultures’ traditional diets centrality to ethnic identity

• Stigma in community surrounding disease or condition
The 7 Elements of Effective Negotiation

(Getting to Yes, Fisher and Ury)

- Communication
- Relationship
- Interests
- Options
- Legitimacy - Objective Standards
- BATNA/MA
- Agreement
Community Mediation Maryland

Inclusive Mediation

• *Feelings*
  • Parties’ responses to situations based on emotions and/or experience

• *Topics*
  • Issues which parties want to discuss, about which they disagree, of which they have different understandings

• *Values*
  • Why parties have particular interests; underlying motivations
Interpreter as Cultural Mediator

• IMIA Standards of Practice: Cultural interface
  • When unshared cultural assumptions create barrier(s) to mutual understanding, interpreter must help parties (patient and provider) investigate cultural barrier(s)
    • Meanings of words in particular contexts
    • Causes of illness
    • Value of particular types of treatment
    • Availability of assistance
    • Ability to ask for assistance

• Interpreter as Cultural Mediator
  • responsible for communication’s underlying contents
  • may intervene to ensure that communications between the parties benefit the parties
High Context vs. Low Context Societies

(Beyond Culture, Edward T. Hall)

- **Low-Context Communication**
  - Most of the information necessary to correctly interpret communication is contained in the message itself.

- **High-Context Communication**
  - Most of the information necessary to correctly interpret communication is contained in the physical context or in the relationship between deliverer and receiver.

- **Monochronic Time** (e.g. North America)
  - Emphasizes schedules, time segmentation and promptness.
  - Individuals are subordinated to larger organization, but are compartmentalized, less likely to see job in larger context.

- **Polychronic Time** (e.g. Middle East, Latin America)
  - Several events occur simultaneously, emphasizes people and transactions rather than preset schedules.
  - Individual is subordinated to organization, constantly reminded that he/she is part of a larger system.
High Context vs. Low Context Societies

(Beyond Culture, Edward T. Hall)
Uncertainty Avoidance Index

Uncertainty: “The extent to which members of a culture feel threatened by ambiguous or unknown situations” (Culture and Organizations: Software of the Mind, Hofstede, Hofstede, and Minkov)

• Countries with high uncertainty avoidance rank
  • More formal laws and informal rules controlling rights and duties of employers and employees
  • Like to work hard, keep busy
  • Strong belief in expertise of specialists

• Countries with low uncertainty avoidance rank
  • Rules should be established only in case of absolute necessity; believe that many problems can be solved without formal rules
  • Work hard if required, but not driven by need to constantly keep busy
  • Strong belief in generalists and common sense
Uncertainty Avoidance Index

(Culture and Organizations: Software of the Mind, Hofstede, Hofstede, and Minkov)
(76 Countries Total)
Emotional Expression
(The Culture Map: Erin Meyer)

• Members of less emotionally expressive cultures generally have an easier time separating the opinion from the person expressing that opinion.

• Members of more emotionally expressive cultures (such as Latin American cultures and some Middle Eastern cultures) may less readily make this separation.

• However, emotional expression is not the same as open disagreement with the other party – open disagreement in more emotionally expressive cultures can lead to a breakdown in the relationship.
Emotional Expression
(The Culture Map: Erin Meyer)

Emotionally Unexpressive

Netherlands
Denmark
Germany
Sweden

United States

Emotionally Expressive

Brazil
Mexico
Peru

Spain
Italy
Greece
Israel
France

India
Saudi Arabia

Korea
Japan
China
UK
Philippines
Example: The 7 Keys to Communicating in Brazil

(Orlando R. Kelm and David A Victor)

Language
Environment and technology
Social organization
Contexting
Authority conception
Nonverbal behavior
Time conception
Example: Contexting (in Practice)
(The 7 Keys to Communicating in Brazil: Orlando R. Kelm and David A Victor)

Low Context
• Explicit and Direct
• Depend on written and/or verbal communication to convey meaning
• Generally, more likely to follow a rule even though
  • unclear why the rule exists OR
  • does not necessarily make sense in a given circumstance

High Context
• Consider circumstances in order to determine correct course of action
• To convey and understand meaning, rely more on
  • relationship between conversation participants
  • Circumstances of particular situation
• Generally, more likely to explain (or seek an explanation of) why rule exists as well as what rule is
Example: Time Conception (in Practice)
(The 7 Keys to Communicating in Brazil: Orlando R. Kelm and David A Victor)

Monochronic Time
• Single event stream moves more or less in a straight line
• Performing tasks in sequence
• Task is prioritized over individual(s) involved in task

Polychronic Time
• Multiple event streams can simultaneously move forward
• Multiple tasks are handled simultaneously
• Effort to make sure that individual(s) involved in task is(are) taken care of
Example: Authority Conception (in Practice)
(The 7 Keys to Communicating in Brazil: Orlando R. Kelm and David A Victor)

- Authors discuss difficulty of starting and doing business in Brazil, feeling of historical exploitation, system that is reaction to perception
- Dar um Jheito – find way around overly complex system
- Malandro – someone who knows how to work around the system (negative connotation - trickster)
- Coronelismo – system in which the coronel (colonel), in return for loyalty, facilitates his clients’ movement through various process

**CAUTION**: use these concepts with care – assume that the process of know, like and trust is generally the same as it is in the United States, rely on your trusting relationships to navigate unfamiliar situations
Notes From the Field

Interviews With North Americans

• Most difficult aspects of dealing with party from different linguistic/cultural background
  • Colloquialisms/“cultural language” – upbringing is still from home country
  • High context cultures – it is what is not spoken that is challenging
  • Mutual understanding of issues (e.g. indemnity)
  • What is sufficient for ongoing business relationship (e.g. handshake vs. contract)?

• Handling point of conflict/disagreement
  • Slow down, try to understand where person is coming from
  • Does negotiating partner want to be educated or “heard?”
  • Asking, “What does this mean to you?”
  • Keep discussion going to find out what real issue is

• Pre-empting cross-cultural conflict
  • Do background research; as much as possible, understand propensities of other party
  • Trust and service relationship as well as complete transaction
  • Do not make assumptions about what people understand (e.g. English vs. English)
  • Be respectful and logical, understand that you are not only one that has to adapt
  • Understand needs, wants, BATNA – then add cultural pieces
Notes From the Field

Interviews With Brazilians/Latinos

• Most difficult aspects of dealing with party from different linguistic/cultural background
  • Uncertainty that parties are communicating in mutually understandable way
  • Finding common ground -- Understanding other party's experience set, communication style, dominant buy motive
  • Parity of Rank, Hierarchy (e.g. VP in Latin America vs. VP in U.S.)
  • Social relationship may give license for informal business relationship
  • Certain cultures feel superior to others

• Handling point of conflict/disagreement
  • Understand and respect other party’s point of view cause of conflict/disagreement (e.g. perception issue, unclear terms)
  • Clarifying to other party why you are stating what you are stating
  • Speaking to point of disagreement/conflict
  • Where relevant, educating/being educated about cultural differences (e.g. time, hierarchy, relationship)

• Pre-empting cross-cultural conflict
  • Provide other party with sense of ownership
  • Sell based on trusting relationship, before discussing product/service
  • From outset, clarify goals, objectives, processes
  • Immerse yourself in other party's culture or have immersed team members
  • Understand needs, wants, BATNA – then add cultural pieces
  • Understanding high context/low context distinction
Notes From the Field

Brazilian Lawyer in Brazil (obtained post doctorate from MIT in political science)

• Brazil
  • More emphasis on personal relations
  • Less defined separation between political, social, professional environments
  • Priority
    • Consensus
    • Stability
    • Minimize Social Costs

• U.S.
  • Make decisions in more hierarchical fashion
  • Make decisions “objectively”
  • Personal matters typically off limits unless
    • Person volunteers information
    • Information materially affect business
Notes From the Field

Brazilian Business Owner, In U.S. for 2+ years

• Bureaucracy in Brazil makes business difficult; U.S. bureaucracy much simpler, more resources, better organization, more opportunity

• Brazilians in the U.S. have a (business) cultural deficit: resistant to signing detailed contract – relationship should be enough
  • E.g. What if business collaboration needs to terminate?

• Risk tolerance: difference in risk abatement
  • Brazil – relationship mitigates risk
  • U.S. – detailed written agreement mitigates risk
Re-assessing Mediation Principles in a Multi-Cultural World
Recommendations

- Communication (GTY)
- Relationship (GTY)
- Positions (GTY)
- Feelings (CM/M)
- BATNA/MA (GTY)

Are the parties ready to discuss implementing the options that they've laid out?

Agreement (GTY)
Exercise: Interest Generation

- What are the patient’s interests?
- What are the provider’s interests?
Exercise: Role Plays
Debrief

• What are patient’s and provider’s respective interests (beyond: patient having his/her issue addressed, doctor having his/her prescription followed)?

• How are the parties’ interests at odds/aligned?

• What are some strategies that you can use for helping the parties to resolve any mismatch in interests while still maintaining your role as an interpreter?

• What are the challenges (if any) of implementing these strategies while still maintaining your role as an interpreter?
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Resources

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• International Medical Interpreters Association Standards of Practice
  http://www.imiaweb.org/standards/standards.asp
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