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Institutional Isomorphism and Informal Social Control: Evidence from a Community Mediation Center*

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Widespread satisfaction among users of community mediation, but low voluntary usage, provides a context within which institutional isomorphism between state and informal social control organizations can be empirically investigated. Data drawn from a triangulated ethnography of a single community mediation center suggest that community mediation centers come to be isomorphic with more established governmental social control agencies in order to manage resource uncertainties and assure organizational survival. These findings are relevant to an understanding of linkages between community mediation centers and the state, the struggle for autonomy from the state by mediation practitioners, institutional constraints on community mediation centers generating voluntary users, tensions between staff members' and volunteers' framing of organizational premises and practices, and community mediation's limitations as a vanguard of private alternatives to legal dispute settlement.

Forums created to handle grievances, conflicts, and disputes outside the law have proliferated during the last two decades. Private arbitration, for example, has become a prerequisite to adjudication in some economic domains. Commercial and political organizations have developed their own grievance mechanisms to handle the complaints of members, consumers, clients, and constituents (Nader 1980; Rowe 1987). Various ethnic and religious enclaves also contain "informal" forums to settle disputes (Auerbach 1983; Doo 1973). Community mediation centers—neighborhood forums offering mediation for so-called "minor" disputes—are relatively new additions to this array of informal social control (Abel 1982; Adler, Lovaas, and Milner 1986), but have attracted a great deal of attention because of the multiple goals and constituencies they are intended to serve (Harrington and Merry 1988).

A central concern of researchers and practitioners in community mediation has been the relationship between community mediation centers and legal institutions. This concern taps into larger theoretical concerns about the relationship between informal social control and states. According to some scholars, informal social control is generally antithetical to state social control (e.g., Black 1976, 1989; Diamond 1974). Other scholars argue that states "co-opt" informal social control organizations (e.g., Abel 1982) or that informal social control occurs in the "shadow of the state" (Mnoonkin and Kornhauser 1979). Although neither position may ultimately be proven false, one way of gaining further insight is through investigation of what has been called the "paradox" of community mediation; this paradox fundamentally relates to the operation of community mediation centers and state social control agencies.

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Researchers and practitioners in community mediation have long noted the low rate of voluntary usage for such forums, despite overwhelming evidence of satisfaction among users (Merry and Silbey 1984). Prior explanations for low voluntary usage focus on characteristics of disputants and their social contexts. In this paper, we argue that such explanations neglect the organizational processes by which disputants find their way into community mediation centers. In particular, we focus on the survival strategies that community mediation centers use to secure key resources. Our ethnography of a single community mediation center reveals that it survives by maintaining referral relationships to established state social control agencies. By doing so, the center becomes embedded in a field of state social control organizations and concentrates on providing services to these organizations. These actions in turn constrain the center from seeking voluntary users.

The theoretical windows through which we view these processes derive from neoinstitutional theories of organizations and contextual approaches to managerial action. Neoinstitutional theories underscore the normative influence of environments on organizational strategies and structures, which often result in isomorphism among groups of organizations operating in the same environments (Dimaggio and Powell 1983). To date, most empirical studies of isomorphic processes have occurred at the macrolevel. The experience of institutional isomorphism (specifically from the perspective of organizational incumbents) is less well documented. This may in part lead to the view, as Powell notes, that "institutionalized organizations are relatively passive, inefficient manipulators of symbols rather than substance" (1991:183). Indeed, the organization we studied underscores institutionalization as a process of active attention by managers to both substance and symbols as they attempt to ensure their organizations' survival. Routine managerial decision making thus entails normatively-based choices within proximate social contexts (e.g., March 1988; Morrill 1991).

To flesh out these issues, we first provide some background on the origins of community mediation in the United States. Next, we review what we term “disputant focused” explanations for low voluntary usage of community mediation. We then offer a “neoinstitutional” explanation which we illustrate with an ethnography of an urban community mediation center. The final section suggests implications relevant to linkages between community mediation centers and the state, mediation practitioners' struggle for autonomy from the state, institutional constraints on community mediation centers' ability to generate voluntary users, tensions between staff members' and volunteers' framing of organizational premises and practices, and community mediation's limitations as a vanguard of private alternatives to legal dispute settlement.

The Social Origins of Community Mediation in the United States

The development of community mediation in the United States was grounded in two interconnected social problems which, from the perspective of reformers, pointed to the need to expand alternatives for addressing so-called “minor” disputes. These problems included neighborhood conflict, misdemeanor crimes and domestic violence, and commercial disputes over small amounts of money (Danzig 1973; Sander 1976; for more complete reviews, see Tomasic and Feeley 1982; Harrington 1982).

The first social problem involved the need to relieve crowded court dockets of minor disputes during the 1970s (for a review of this literature, see Galanter 1983). Simultaneously, sociologists and anthropologists of law continued their description of the “gaps” between the “law-on-the-books” and the “law-in-action” (Black 1973). Many argued that the courts were

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1. Social control organizations refer to any formal organizations that respond to and manage behavior defined as deviant (e.g., Black 1976). Examples of social control organizations include the legal system, mental health agencies, crisis intervention centers, better business bureaus, regulatory agencies, and local congressional offices.
simply unwilling or unable to provide satisfaction to disputants (Nader 1980). Mayhew and Reiss, for example, argued that "the legal profession provides relatively little professional representation and advice in relation to a broad panoply of problems surrounding . . . daily matters" (1969:318). Still other investigators argued that many disputants came away from court profoundly dissatisfied with their experiences because of the truncated nature of their hearings, overcrowded court conditions, and the sense that the court could not adequately handle their problems (McGillis and Mullen 1977; O'Barr and Conley 1985).

One potential solution for addressing these problems arose from ideas circulating among anthropologists, lawyers, and community activists about non-Western community moots (Harrington and Merry 1988). Anthropologists had long studied indigenous moots in which groups of villagers gathered to facilitate discussion among disputants, to provide therapy via group discussion for victims and offenders, and to reintegrate the principals into local communities (Black and Baumgartner 1983; Bohannan 1967; Gibbs 1962, 1963; Lowy 1973; Nader 1969). Some reformers believed that such moots could be effectively transplanted, and advocated the development of U.S. community moots (Danzig and Lowy 1975). Most reformers and scholars also assumed that the social problems noted above had created a large, alienated population of disputants who yearned for more effective and satisfying settlement forums (e.g., Nader 1980). Supporters of what came to be known as "alternative dispute resolution" and "neighborhood justice" believed that community mediation could serve these needs and would generate high rates of voluntary usage similar to small claims courts (Tomasic 1982). Lobbying efforts with federal authorities resulted in initial community mediation demonstration projects being funded by federal seed monies with the hope that local funding would subsequently develop (Harrington 1982).

The Paradox of Voluntary Usage and User Satisfaction

Studies of community mediation during the 1980s revealed that many users of community mediation came away highly satisfied with the process and its outcomes. Merry and Silbey (1984), for example, interviewed a sample of 73 disputants who had handled their minor criminal and small claims cases in two mediation programs in the Northeast. Ninety-two percent of the sample "felt that mediation was a good process." In this same sample, 75 percent believed that the agreement reached was fair and 85 percent reported upholding their mediated agreement. In another study also in the Northeast, 63 percent of 114 parents and children interviewed one month after they had used mediation to handle family disputes viewed the process as "good," 10 percent viewed the process as "bad," and 26 percent reported mixed sentiments. Moreover, 61 percent believed the mediated agreement improved their family situation (Merry and Rocheleau 1985; cited in Merry and Silbey 1984). Other studies from other parts of the United States report similar rates of satisfaction (Cook, Rowehl, and Sheppard 1980, Davis, Tichane, and Grayson 1980; Pearson and Thoennes 1985).

At the same time, strong evidence suggests voluntary usage of community mediation centers is low. In a review of citizen participation in alternative dispute resolution, Harrington (1984, 1985; see also, Harrington and Merry 1988; Merry and Silbey 1984) argues that few disputants seek community mediation without some sort of legal system referral. Earlier evaluations of community mediation programs found similar low voluntary usage rates (Felstiner and Williams 1978). An important question for practitioners (as well as scholars) is: What accounts for low voluntary usage of community mediation given high user satisfaction?

Disputant-Focused Explanations

Disputant-focused answers to this question examine the various social characteristics of
disputants and the contexts in which they handle their conflicts. Two branches of this approach can be identified: the "instrumental" and the "cultural" (Merry and Silbey 1984).

As an example of the instrumental approach, consider Pearson's (1982) three explanations for low voluntary usage rates. First, she argues that many disputants are unaware of community mediation and therefore lack the information to make efficient decisions about using it as a dispute settlement forum. The solution to low voluntary usage from this perspective is simply more education and advertisement of community mediation. Pearson's second explanation concerns attorney referrals. Attorneys, she argues, may steer clients away from community mediation because they fear professional encroachment and loss of revenue, and "second class" justice for disputants because of inadequate due process. Pearson's third explanation assumes that citizens are aware of mediation, but already have efficient alternatives available, such as avoidance, third-party settlement by local elites, or the courts. Increased education and advertising about the benefits of community mediation could again ameliorate low voluntary usage.

The evidence for Pearson's instrumental explanations is mixed. Merry and Silbey (1984) argue that ample research demonstrates that disputants "shop" around for appropriate forums for neighborhood (Merry 1981) and consumer disputes (Ladinsky and Susmilch 1982; Nader 1980). This makes the claim that people are unaware of community mediation "unconvincing" according to Merry and Silbey (1984:153). It does seem plausible, given the evidence, that disputants are at least partially instrumental in their conflict management. Sarat and Felstiner (1986) offer evidence supporting Pearson's second explanation. They note that at least in disputes involving divorce, lawyers create client dependency by pointing out that attorneys are "insiders" and offer the best chance for successful outcomes. Such arguments could easily push clients away from informal forums such as community mediation. McEwen and Maimen (1984) offer partial evidence for Pearson's third explanation. They argue that weaker disputants may choose not to use mediation because it does not offer the necessary leverage to induce more powerful adversaries into negotiation. Thus, disputants opt for legal action, not because adjudicatory processes themselves are more efficient, but because threatening to use them is one relatively low-cost way to induce informal settlement.

Merry and Silbey offer a second disputant-focused explanation that conceives of disputes as "cultural events, evolving within a framework of rules about what is worth fighting for, what is the normal or moral way to fight, what kinds of wrongs warrant action, and what kinds of remedies are acceptable" (1984:157). From this perspective, much routine conflict management stems from local conflict management customs which in turn contain repertoires of appropriate dispute strategies (e.g., Morrill 1991).

This perspective thus explains low voluntary usage as a by-product of local customs and habits of conflict management that are not oriented toward the use of mediation. Merry and Silbey (1984) themselves found that most disputants in three New England communities were unlikely to define third-party intervention as appropriate. Corroborating evidence can also be found in Baumgartner's (1985, 1988) study of a middle-class suburb. She found the modal form of conflict management among suburbanites was avoidance and also uncovered a strong norm against third-party intervention. Other investigators offer evidence that lower-class settings are unlikely contexts for mediation because of long-standing patterns of conflict management involving violent self-help (Black 1983; Horowitz and Schwartz 1974). One could also explain satisfaction among mediation users by referring to the indigenous routines of conflict management experienced by disputants. Those who are satisfied with mediation probably regularly experience such processes as appropriate conflict management in their local contexts (Horwitz 1990).

Disputant-focused explanations partially explain why people don't voluntarily find their way to community mediation. We do not quibble with the efficacy of these explanations, but
find they treat community mediation centers as passive agents, ignoring the reality that mediation occurs within organizations with their own goals and strategies. Accordingly, a fuller understanding of the low voluntary usage of community mediation must be found in the nature of both disputant-focused explanations and those that focus on community mediation centers as organizations.

A Neoinstitutional Approach

At the core of this approach are two simple premises. First, most formal organizations, particularly nonprofits, are oriented toward survival as a primary goal (Hannan and Freeman 1989; Meyer and Zucker 1989; Powell 1991). Second, in order to survive, organizational managers must find some means to effectively manage the uncertainty of their organizational fields, especially resource inputs and outputs (Thompson 1968). Under some conditions, uncertainty is managed through practices which allow organizations to compete efficiently for resources in relevant environments (Hannan and Freeman 1977). Increasingly, however, organizational theorists have argued that the reduction of uncertainty also occurs through legitimizing institutional processes whereby organizations adopt similar organizational forms and practices (isomorphism) to other organizations in relevant environments (Dimaggio and Powell 1983; Powell and Dimaggio 1991). This approach suggests how organizational strategies and structures simultaneously construct and are constructed in established organizational fields (e.g., Dobbin forthcoming).

Dimaggio and Powell suggest three ways by which institutional isomorphism occurs. Organizations come to resemble one another through coercive practices, as when the state imposes certain controls on organizations (OSHA standards, for example). Organizations can also model one another, especially when they have ambiguously defined technologies and outputs that are difficult to measure (as in many educational systems, see, for example, Meyer and Rowan 1978). Finally, institutional isomorphism can occur through normative processes, such as professionalization, which standardize operating procedures. It should also be noted that managers may consciously enact these processes as they attempt to achieve legitimacy for their organizations or they can occur at the level of predispositions or taken-for-granted assumptions about how organizational practices should occur (Dimaggio and Powell 1983).

Direct observation is important for studying how organizational practices develop and become inculcated (e.g., Powell 1991). Moreover, accounts collected from organizational members about actions taken by their organizations are also an important data source because of the link between accounts and the social contexts for and in which they are produced. As Mills (1940) argued, accounts can generally be regarded as "vocabularies of motive" that are integrally tied to the normative contours of particular social contexts. Accounts do not reveal the "real" motives that compel actors to act, but instead highlight the repertoire of accepted and unaccepted rationales for behavior in a social context. In effect, accounts produced in particular social contexts highlight frames that enable individuals and social groups to make sense of and act on their surroundings (e.g., Goffman 1974). Accounting practices therefore feed into the reproduction of social contexts over time.

Within accounts, it may also be possible to identify the fundamental premises that organizational members give for their organizations' existence. Such premises are important for linking organizational goals and actions; premises function to underscore specific organizational goals, delimit decision options, identify key resources that must be procured and managed to achieve goals, and thus lead to particular courses of action (Simon [1945] 1976). In this way, organizational premises enable actors to make sense of their environment and their

2. We follow Dimaggio’s and Powell’s (1983) notion of an organizational field as a set of organizations which produces similar services or products, and has similar suppliers and consumers.
organization's place in that environment. Particular premises can also be used as symbolic resources to justify not pursuing strategies suggested by other premises.\(^3\)

In light of the discussion above, relevant research questions are: (1) What do practitioners\(^4\) view as the premises of community mediation organizations? (2) What kinds of resources do practitioners view as necessary for a community mediation center to survive? (3) What strategies does a community mediation center engage in to survive and what importance do practitioners place on these strategies? We suggest answers to these questions with evidence from an ethnography of a single community mediation center. Before delving into these questions, we first describe the study site and our research methods.

**Study Site**

Sunshine Mediation Center (SMC) (a pseudonym) is an urban mediation program founded in 1981 in a southwestern city. Between 1985 and 1991, it handled between 800 and 1100 cases per year, of which nearly 45 percent were mediated.\(^5\) The program is part of a larger cluster of nonprofit social service agencies that handle problems such as child abuse and suicide prevention. As with most mediation centers (McGillis and Mullen 1977; Merry and Silbey 1986), the typical case at SMC is first processed over the phone by either a volunteer or a paid staff member. If both principals are willing, the case is then scheduled, often in the evening, for mediation. Cases are mediated by two mediators working as a team; they begin mediation sessions by explaining the ground rules and process to the principals. The principals are then asked to give their side of the case, to talk about how they want the dispute resolved, and about what they are willing to do to resolve the dispute. Session outcomes include signed, mutually agreed upon settlements; impasses; or refusals to continue the process. During this study, Sunshine was staffed by a full-time program director (responsible for planning, fund raising, and some mediation), a part-time assistant director (responsible for internal programs), a part-time training coordinator, four part-time mediation coordinators (responsible for mediation, scheduling, and intake work), and 80 volunteer mediators (responsible for mediation and intake work).

The cases handled by SMC illustrate the typical range of problems and disputes found in contemporary communities: barking dog nuisances, landlord-tenant disputes, spouse and child abuse, broken financial obligations, unpaid private and small commercial debts between business partners. SMC also exhibits the paradox of low voluntary usage and high user satisfaction. In 1987, nearly 75 percent of all cases handled by SMC were referred to the center by governmental agencies \((n = 886;\) see below for description of the data set from which these figures are derived). During this same year, 12 disputants used Sunshine without a referral from a governmental or private agency. During 1987 to 1991, nearly 90 percent of the disputants who mediated their disputes at SMC rated the mediation process favorably. A slightly lower percentage rated the outcomes of the mediation process favorably. Evaluation figures were collected by SMC staff during postmediation follow-up calls to as many disputants as they could locate.

3. Of course, organizational actions do not always mirror organizational premises. Environmental conditions and managerial skill, for example, can affect the relationship between organizational premises and action. Moreover, in larger organizations with multiple layers of managers, interpersonal dynamics and conflict among executives can powerfully decouple organizational action from collective rationality (e.g., Morrill forthcoming).

4. "Practitioners" refers to both staff and volunteers at Sunshine Community Mediation Center (SMC).

5. These figures do not count inquiries about services from citizens or other social control agencies which did not evolve into cases. The number of cases the center takes in and the percentage of cases that get to mediation are similar to those obtained in earlier evaluations of mediation centers with strong referral ties to established social control agencies (e.g., Felstiner and Williams 1978).
Research Methods

Fieldwork was conducted over a four year period from 1987 to 1991 by the first author while participating as a volunteer mediator in SMC's training and in-service programs, mediation, and intake processes. The second author collected data in a similar capacity during 1989 and 1990. In addition, two research assistants conducted some observations and interviews during 1989 and again in 1991. During the first two years of fieldwork, the first author acted as a “lone ranger” (Douglas 1976), the investigation approach characteristic of most urban ethnography (Snow and Anderson 1987). The second half of the fieldwork followed more of a team approach in which both authors and research assistants adopted different fieldwork roles at various times during the research (e.g., Snow, Benford, and Anderson 1986). All fieldworkers met with the first author after periods in the field to discuss their experiences and interpretations. At various times, both authors also acted as detached observers for each other (Snow and Anderson 1987), oftentimes leading to the reorganization of coding categories and inferences due to new countertrend discoveries and reinterpretations of previously collected data (e.g., Glaser and Strauss 1967).

Structured and semistructured interviews with the program director and assistant director occurred in 1987, 1988, 1990, and 1991. Interview questions were designed to elicit information about the organizational practices, history, and future strategy of the mediation center. Structured and semistructured interviews were also conducted with a set of “core” volunteer mediators who had over two years experience as mediators, handled most of the cases at the center, and had primary responsibility for directing the flow of mediation sessions (called “primary mediators” at SMC; n = 7; see Harrington and Merry 1988 for a general discussion of core mediators in community mediation centers). A set of newly trained volunteer mediators (“secondary mediators”) were also interviewed during the same period (n = 6). Respondents were selected to represent a cross section of occupations and ages, and participated on a voluntary basis. Four men and nine women were interviewed, reflecting the gender composition of the volunteer pool. Informal, conversational interviews were conducted with all staff members and a convenience sample of volunteers was done on a regular basis during the entire period of fieldwork. Much of the questioning during these interviews took the form of “interviewing by comment” in order to minimize researcher obtrusiveness and maximize information yield (Snow, Zurcher, and Sjoberg 1982). Both researchers’ status as volunteers facilitated observation of routine organizational practices and access to relevant public documents produced by SMC. A quantitative profile of all cases handled in 1987 (with completed intake forms, which were not necessarily mediated) was also conducted. This analysis focused especially on case referral sources and outcomes.

The following sections identify SMC's organizational premises as seen through the eyes of practitioners, the resource uncertainties that practitioners believe must be solved for SMC's survival, the strategies staff and volunteers identify as crucial to the organization's survival, and the survival strategies actually implemented.

The Premises of Sunshine Community Mediation

We identified three primary premises for SMC’s existence that staff members and volunteers gave in their accounts. Volunteer and staff member premises matched, but each group attached different importance to them. The premises also overlapped with what Harrington and Merry (1988) identify as three core functions or projects of community mediation from proponents' perspective: delivery of dispute settlement services, personal growth and development, and social transformation. We adopt Harrington’s and Merry’s first two labels, but
for the third SMC premise offer our own label which seems to capture the more modest meanings attributed to it by SMC staff and volunteers.6

Delivery of Dispute Settlement Services

Under this premise, SMC is a forum providing an alternative to congested courts that is more conciliatory and less threatening, does not involve the time or "hassle" of court appearances, and does not cost as much as the courts. Five of seven staff members consistently identified this premise as the primary basis for the center's existence, while a majority of volunteers interviewed (9 of 13) assigned it secondary importance. Consider the following accounts:

Our primary purpose is to provide a place for people to sit down and begin to talk about their problems with each other, which they can't do in court because it's so crowded. It's simply not as threatening as a court appearance (staff member 1987).

One thing that [SMC] does is provide dispute resolution to people in the community who don't have the resources to settle their problems on their own or can't afford to go to court. But it's not the most important reason that [SMC] exists (volunteer 1990).

Personal Growth

As expressed by practitioners in our study, SMC educates and provides examples to citizens—clients, volunteers, and paid staff—about how to develop effective social skills in their personal lives. Both staff members (7 of 7) and volunteers (12 of 13) viewed this center premise as equally important.

I think this is one of the important needs in the community that is one of the best reasons a place like [SMC] is around, to provide a model of how to deal with problems. We [SMC] can help in that regard. Even people who never use mediation can learn from our training or our public presentations (volunteer 1989).

From my perspective, our education programs are a key reason for our work in the community. We can only get to a tiny fraction of those people who are in conflict, but our educational programs and presentations could reach many more and really have an impact for how people live their lives, handle problems at work (staff member 1989).

Community Improvement

A third premise held by practitioners at SMC is that of improving the community. This premise is far narrower than what Harrington and Merry (1988) label the social transformation project of community mediation (especially in developing countries and formerly socialist regimes). SMC practitioners noted that community improvement might occur through incremental accretion as more citizens experienced or became aware of the mediation process. In one sense, this premise is the aggregation of the personal growth premise. Neither staff nor volunteers afforded as much importance to this premise, although each group (4 of 7 staff and 8 of 13 volunteers) mentioned it in their accounts:

Alternative dispute resolution and teaching people useful skills is probably the most basic part of what we do. For [SMC] to have an impact on the community, it will take many years. But it is organizations like ours that can become something of a clearinghouse for a lot of beneficial community activities (staff member 1989).

6. All accounts were selected to be representative of general tendencies in the interview data.
At [SMC] people can learn how to find their own answers to their own problems, not just as individuals, but as a community. When you go to court, you give all your decision-making power to the judge. The same thing happens in politics. Mediation can help communities improve themselves (volunteer 1990).

**Resource Uncertainties**

Given these premises about SMC's most basic functions, what kinds of resources do practitioners identify as key to the center's survival? We identify five resources in practitioner accounts that are also generally associated with the survival of nonprofits (e.g., Milofsky 1988): (1) generating adequate and consistent funding; (2) generating an adequate and consistent caseload; (3) maintaining an active volunteer pool; (4) securing a physical plant to process clients and store relevant documentation; and (5) legitimacy.

**Funding and Caseload**

Not surprisingly, only a few of the volunteers (3 of 13) mentioned funding and caseload levels as key to the organization's survival. In contrast, every staff member (7 of 7) mentioned the interdependence of these two resources, as the following comment illustrates:

Money, money, money and clients if we want to make it. That's what we need most around here or else there won't be anything for anybody to do. And there needs to be a steady supply of both of them. You can't have one without the other (staff member 1989).

**Volunteers**

Both volunteers and staff members believed an active volunteer pool was an important resource for SMC's survival. Volunteers and staff members, however, differed in the importance they afforded this resource. First, consider the following statements of a volunteer mediator:

The place couldn't run without volunteers. We don't get paid, we only get the satisfaction of helping someone else. If the program has a lot of volunteers involved, they won't let the place slide (volunteer 1989).

Now consider the following comments of a staff member regarding the importance of volunteers as a resource for SMC's survival:

We care about keeping the volunteers active in the program because they are one of the lifebloods of the program. We've always had a pretty active group for the mediations, although we have to work at it sometimes. More important of course is the caseload and the funding. Without that, we can't survive at all (staff member 1988).

A majority of volunteers (11 of 13) viewed volunteer retention as the most important resource for the center because volunteers link SMC with the community and, as argued above, the program would cease to function, even with funding, without them. A majority of staff (5 of 7) viewed volunteers as an important resource, but only after securing funding and a consistent caseload.

**Physical Plant**

Both staff members (7 of 7) and volunteers (11 of 13) mentioned SMC's physical plant
needs prior to 1989, when the center was housed in cramped quarters. After 1989, the concern over space to hold mediation sessions, store records, and hold initial and monthly “in-service” training sessions ceased when SMC moved to a larger facility. Staff members were particularly concerned with space problems for mediation sessions, as the following account underscores:

We are so cramped for space here [at the old SMC site]. Sometimes I feel like a rat in a maze. We have no place to put anyone. Finding a new space has been a priority (staff member 1988).

Legitimation

This resource was expressed as credibility for the practice of mediation itself and as credibility for the program (as opposed to for-profit mediation or third-party intervention services). All staff members and a majority (9 of 13) of volunteers expressed these sentiments, as illustrated below:

Some people confuse mediation with meditation. It’s really important that people begin to see mediation as a credible alternative for dispute settlement. We need to be recognized by the police, the county, the other agencies as worthwhile (staff member 1989).

Survival Strategies

At this point, we turn to our third research question: How has SMC attempted to garner the resources identified in practitioner accounts as important to its survival? At the outset of this section we might note that considerable variation exists between the organizational strategies framed by the staff and volunteers. Staff alluded to service ties and isomorphic processes, but volunteers did not. Both volunteers and staff mentioned volunteer services as a viable survival strategy.

Two facts about SMC’s early history are crucial for understanding its survival strategies. First, SMC was founded by former members of the county’s victim-witness program. SMC’s original managers had already established personal, as well as professional ties to local state agencies. SMC is not unique in its local origins. Many community mediation organizations have their roots in local government agencies and are staffed at least partly with former government employees (e.g., Abel 1982; Harrington and Merry 1988). A second significant fact is that not all of SMC’s funding comes from state agencies. Until 1989, SMC received some United Way funds and was housed in one of its facilities. Ironically, continued United Way funding was contingent on maintaining a consistent SMC caseload, which in turn became part of staff members’ justification for developing referral relationships with state social control agencies.

Service Tie Strategies

SMC developed strong ties to existing social control agencies via service relationships. The staff viewed such ties as bringing to the program the two most crucial resources for the organization’s survival, adequate caseloads and money. In addition, both were justified by SMC’s fundamental premises. During the mid-1980s, SMC functioned for the city courts as a diversionary program, primarily handling domestic violence cases. During 1987 to 1989, in the city where SMC is located, convicted domestic violence offenders were given two alternatives to serving a sentence or paying a fine: they could either attend a series of counseling sessions or a mediation session with their significant other(s). As a staff member noted in 1987:
We get a lot of our budget each year from the city to provide this service. There's no diversionary program currently in operation locally. We and several counseling centers around the city provide domestic offenders mediation. We operate as a de facto diversionary program.

Further corroboration comes from a long-time volunteer:

Every case I've ever mediated has been referred from some agency, the court or whatnot. I've never heard of someone calling the program, although I'm sure it's happened a few times. The program doesn't go after people off the street (volunteer 1989).

In the fall of 1988, the city began its own diversion program for domestic violence cases, leaving SMC without a major governmental contract by that summer. Strategies to compensate for anticipated loss in caseload can be found in the following comments:

Later this year the city is starting a diversion program which it will run to handle domestic violence cases. We've been considering how we might fit into that program, but it looks like we're going to have to go a different route to sustain our caseload. Right now we're beginning to gear up to do divorce mediation that would be referred out of conciliatory court for people who may not have the means to deal with conciliatory court, and we're looking into how we might work with animal control in the county handling barking dog cases (staff member 1988).

Notice the emphasis placed on developing new service relations in order to maintain the caseload (which was at that point, 5 to 7 mediations per 5-day work week).

In the summer of 1989, the tie to the local courts had been severed and SMC's caseload was greatly diminished to less than one mediation per week. In an attempt to develop new service ties, staff members engaged in a steady stream of presentations to governmental agencies and heavy local advertising took place during the entire course of the fieldwork in 1989. As a staff member noted during this period:

Since we haven't been handling domestics, our caseload has gone down the toilet. We're hoping to get on line with [Sunshine] county animal control. We really hope the barking dog cases will increase our client load to keep us afloat.

By the spring of 1990, service ties to the county were contracted and the caseload increased, as another staff member recounts:

We're on line with animal control and our caseload is pushing back up to what it should be; about 4 to 6 cases [per week] referred by animal control and some other police referrals.

These strategies are particularly reflective of SMC's first premise, that of delivering alternative dispute settlement services. Not surprisingly, justifications couched in these terms surfaced in staff accounts of the history of service relationships. A staffer noted:

The easiest way for us to get to the people who want to do something different about their problems is through the courts. That's where they come in (staff member 1988).

At the same time, the community improvement premise was also invoked, but only in so far as staffers believed that the service ties, and the resources they provided, allowed for opportunities to change the community for the better.

Without the funding from the city and county, we wouldn't be able to offer any of the services we have. We wouldn't be in a position to help the community, to have any impact on the community or to keep our volunteers busy (staff member 1989).

**Isomorphic Strategies**

Dimaggio and Powell (1983) argue that isomorphic strategies can enhance legitimacy, hence increasing an organization's likelihood of survival. They also note that while the three
isomorphic mechanisms they identify are analytically distinct, they may operate simultaneously either consciously or through accretion.

Coercive isomorphism at SMC primarily operates through the accounting requirements for contracted relationships with local governmental social control agencies. For example, as in court, the primary unit of service at SMC is the “case” in which complainants and respondents are identified (both are called “clients”), and detailed records are kept of all staff and volunteer interactions with clients. Each case has a “face sheet” which contains client names and initial case information, including information from the agency that referred the case to SMC. Each case that goes to mediation is also scheduled for a particular day and time (rather than on an ad hoc basis). Mediation outcomes are also recorded so that they can be easily processed if the case reappears in the originating agency (e.g., the court or the county animal control department). The format of mediation agreement forms, therefore, is similar to a legally binding contract. Specific settlement terms which the parties must agree to are clearly enumerated in a standardized space, and each party must attest to their commitment to the agreement by signing it.

SMC practitioners were also well aware of this form of isomorphism and adopted it as a conscious strategy to attract and maintain service relationships with existing social control agencies.

We do try to follow the procedures that these agencies want us to follow so that they know how we're processing their cases. It's good for our relationship [between SMC and the agencies]. It also advertises to other agencies that we can work with organizations (staff member 1989).

In many organizational fields, normative isomorphism occurs via university-based professional education. Such isomorphism can standardize the social and cognitive bases on which organizational members act and organizations are structured, thus increasing legitimacy, and hence organizational survival. Few university programs exist for training in mediation, and none are located in SMC's local area. As a result, normative processes first operate at SMC through the center's initial six-week training sessions, which follow many of the guidelines set forth by local (i.e., state level) and national professional mediation societies (i.e., the Society of Professionals in Dispute Resolution [SPIDR] and the National Institute of Dispute Resolution [NIDR]).

Staff members and volunteers were also particularly keen on enhancing their skills through “trainings.” On any given day, posted brochures could be seen on SMC bulletin boards and display tables advertising training sessions sponsored by a variety of professional organizations for specific types of mediation (e.g., divorce, commercial) and by professional mediation societies in the form of regional and national conferences. Trainings typically contained a lot of experiential learning of mediation techniques. Professional society newsletters also notified staff and volunteers of conferences and presented tips on mediation. During the fieldwork, both authors were recruited to attend (and occasionally did) or make presentations at practitioner conferences as university-based professionals in the dispute resolution field.

Evidence of the impact of normative processes could be found in a variety of SMC organizational practices. For example, in sessions mediators held disputants to the same ground rules for “productive communication” as could be found in SPIDR guidelines. Likewise, initial training sessions emphasized sensitivity training, cultural awareness, and experiential learning which replicated the orientations and procedures found in a number of SPIDR or NIDR newsletters and publications.

All staff members also believed, to various degrees, that SMC could enhance its image in the community among other dispute oriented professionals (most notably lawyers) by standardizing its volunteer and staff training, and by establishing some form of state mediator certification. Staff members also believed that such strategies could increase the likelihood of receiving resources from social control agencies.
If we get more professional, the agencies are going to see us as a good bet. If we’re just another community group, they’ll ignore us (staff member 1989).

Social control agencies with whom SMC had service ties also occasionally called upon staff members to defend the volunteers’ level of “professionalism.”

One time [SMC] was called on the carpet about the mediators at [SMC] not being professionals. And she [a senior staff member] let ‘em have it. She told them about the six weeks of training, and special training for domestic violence, and the in-service training (volunteer 1990).

The rhetorical uses of SMC’s professionalism defenses were corroborated by a staff member:

Whenever I make a presentation to a group, the city, or the county, whoever it is, they always ask whether our volunteers are professional enough to handle the cases. I tell them about our training processes, that our volunteers are as professional as you’ll find in a program of this sort (staff member 1989).

Additionally, defenses of mediator professionalism also afforded staff members the opportunity to publicly draw sharp distinctions between mediation and adjudication, typically emphasizing the benefits of the former compared to the latter, as well the high rates of user satisfaction in mediation. Such defenses simply extended similar arguments made during training sessions and monthly “in-service” sessions with volunteers.

A third isomorphic strategy found at SMC occurs through modeling. The organizations after which SMC has modeled itself are primarily older, more established mediation programs elsewhere in the country. At its founding, SMC adopted the procedures and structure of established community mediation centers. Staff members and volunteers also sometimes made pilgrimages to established mediation programs and returned with ideas for SMC. Specifically, SMC modeled itself after other mediation centers with similar caseloads. For example, when the SMC caseload primarily consisted of domestic violence mediations, the center began offering an additional two weeks of training in handling such mediations, offered specific guidance to volunteers and staff members about gathering background information over the phone (for example, about asking disputants about delicate emotional issues), and altered specific mediation processes.

Ineffective Strategies

Crucial to this paper’s argument is the question of why SMC passed over other survival strategies and tied itself to state agencies. At various times during its history, SMC staff attempted to generate clients from other organizations such as churches and other community-based mental health agencies. Interviews with volunteers about SMC’s activities from 1981 to 1986 revealed that referrals from such agencies were sporadic at best, even after numerous presentations. SMC also periodically attempted to offer mediation for a sliding-fee based on income, but again, even after extensive advertising, clients only “trickled in.” Most recently, SMC began offering sliding-fee divorce and child custody mediations, but again, found the market for paid mediations to be small. Yet another source of clients, lawyers, were not pursued by SMC because of continuing controversy in the state over whether lawyers should be present during mediations (specifically, those focused on domestic violence or child custody). SMC staffers and volunteers considered the intrusion of lawyers as a potential compromise of the mediation process, which they sharply contrasted to adjudication. Generating voluntary users (called “walk-ins”) presented even greater problems for developing a consistent caseload. The program director invoked community improvement and personal growth premises to justify not pursuing walk-ins.

If we had to go solely with walk-ins, this place couldn’t survive. We couldn’t help the people of the community adequately if we just went after walk-ins. We need the money from the county and
city. Our United Way funding wouldn’t cut it alone. We would also need to set up shop differently to handle walk-ins (program director 1987).

It is not simply a matter of money or caseload levels that nullifies the pursuit of walk-ins as a strategy. The isomorphic processes noted above structurally constrain SMC’s ability to handle walk-ins. All of the staff members talked about the inability of SMC’s “set-up” to handle walk-ins, as did many of the volunteers interviewed (8 of 13). This account represents those sentiments:

We couldn’t handle walk-ins if we wanted to. We would have to be set up completely different. We’re set up to handle referrals and that’s what we do (staff member 1990).

Ironically, staff and volunteers alike argued that the most viable long-term survival strategy was the social marketing of SMC’s services (evoking the disputant-focused explanations discussed above). Practitioners often mentioned the media and the need for a “media blitz” which would educate the public and legitimate mediation.

What we really need is a major marketing campaign that will have to involve the media. The media highlights issues and sets the social norms of the public. There is absolutely no media coverage of the prestige and authority of the mediation profession (staff member 1991).

When asked why SMC did not put more resources into such education and media strategies, staff members typically replied that there was not enough money and that a media blitz was a distant prospect. They also added that funding from social control agencies could not be used for such purposes. Finally, they also noted that, as with walk-ins, SMC was not “set up” to engage in widespread marketing of its services.

**Implications and Conclusion**

Organizational survival strategies used by community mediation centers are a critical but neglected aspect of the explanation of the low voluntary usage of community mediation. This paper has illustrated how such processes contribute to the lack of voluntary users in community mediation by focusing on the organizational premises, resource uncertainties, and survival strategies used by Sunshine Community Mediation. All of these factors orient the community mediation center toward closer ties with governmental agencies for referrals and funding. We have also demonstrated that institutional isomorphism does not merely entail passive processes. It can also entail active strategic choices as managers pragmatically construct survival strategies from local institutional resources and attempt to navigate their organizations through particular organizational fields.

Our study thus suggests some of the organizational processes by which community mediation centers extend the state’s social control (Abel 1982). As we noted at this article’s outset, scholars critical of community mediation have argued that informalism extends state authorities’ ability to exercise social control in civil society by providing complementary social control to state institutions (Abel 1982). What has not been systematically explored are the organizational mechanisms by which informal forums become extensions of governmental social control. We suggest that organizational survival strategies consciously enacted by community mediation programs lead such programs to become isomorphic members in organizational fields of social control agencies of which state organizations are major players. As a result, managers may become structurally constrained in their attempts to generate nonstate resources as well as cognitively constrained as they come to see their organizational fields in relation to the needs of state social control institutions.

Even so, community mediation centers are not completely enveloped by the state structurally or cognitively. Pockets remain within the institutional isomorphism of SMC and state
social control agencies where practitioners continue to struggle for relative autonomy. We uncovered persistent attempts by staffers and volunteers at SMC trainings, meetings, presentations to potential referral agencies, and in mediations themselves to emphasize the distinctiveness of the SMC mediation process relative to adjudication and other forms of court-based mediation (e.g., conciliatory court and commercial mediation) and its similarity to other community mediation programs. In one sense, practitioners, particularly staffers, are caught in a double bind. To survive, they have become subordinated to better established, state social control organizations. Yet, they also view SMC as an alternative to the legal system and fight for the integrity of the mediation process. Whether the SMC mediation process also becomes isomorphic with that in state agencies lies beyond the scope of the present study. However, evidence from other studies indicates that institutional isomorphism may penetrate into mediation processes via increased formalization of procedures and professional “neutrality” (Cobb and Rifkin 1991; Harrington and Merry 1988).

These arguments also call attention to additional hurdles—aside from the public’s lack of knowledge, cultural constraints, or institutional constraints in the legal profession—for community mediation centers to attract voluntary users. Some staff members and volunteers at SMC believe, as do some researchers studying mediation (e.g., Pearson 1982), that increased public education about mediation would increase voluntary users either by broadening the awareness of efficient and fair alternatives to the courts or by changing community norms regarding conflict management. We argue that the organizational survival strategies of mediation centers like SMC inhibit their ability to attract voluntary users.

We found general agreement among volunteers and staff concerning SMC’s underlying premises. However, we also uncovered apparent tensions in the way volunteers and staff frame SMC’s primary resources and organizational survival strategies. The staff views referral relationships as key to SMC’s survival. Volunteers view maintaining an active volunteer pool as a primary survival strategy; they believe that if SMC has citizen support, the community will be less likely to let it go under. The staff views volunteers as important to survival, but only insofar as they are needed to handle its caseloads when they are consistently delivered by the courts and other social control agencies. In essence, to the staff, caseloads and funding are a precondition for volunteer involvement. Both staff and volunteers have been drawn into isomorphic processes, especially in the professionalization of mediation and the establishment of accounting procedures by social control agencies which provide cases and funding to SMC. These tensions may be yet another manifestation of what Harrington and Merry (1988:731) have identified as the professionalization of mediators, the establishment of closer ties to the legal system, and the “marginalization of community-linked mediators.”

Finally, calls could be made for heroic attempts by managers of community mediation centers to loosen their referral and funding ties to state social control agencies, to diversify their services, and to seek resources from a variety of sources. Organizational researchers argue that such strategies may be voluntary organizations’ best chance to survive the economic downturn of the late 1980s and into the 1990s (e.g., Milofsky and Romo 1988). The analysis presented here and other recent research chart a much different path for community mediation’s future. Community mediation’s dependence on the courts, the increasing stress on professionalization, and the detachment of mediators from the communities they serve suggest that community mediation organizations will become even more isomorphic with established state social control organizations in the future. As a result, their organizational practices will be less mutable over time and they will become even less likely to alter their survival strategies (for example, to seek funding that would allow them to search for voluntary users). The rise of mediation as a pervasive private alternative to the legal system may therefore not occur at the community level, but instead where more abundant private resources are available such as in the world of large business corporations. Already, mediation firms have begun to redefine the landscape of intercorporate disputes by offering professional
mediation as an alternative to legal intervention (Pollock 1993). Unlike the world of community mediation, such intercorporate mediation has attracted many voluntary users. Whether or not mediation firms become isomorphic with their organizational fields (reflecting the organizational forms in particular industries) or with state social control agencies is a question for future research.

Exploring the speculations offered here will require more broad ranging cross-sectional and longitudinal studies of the organizational fields of social control agencies. Such research may ultimately yield a richer theoretical dialogue between two historically intertwined areas of sociology—the sociology of law and organizational sociology. It may also provide a more complete understanding of the organizational processes of social control in modern society.

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