BUILDING BRIDGES

between citizens and local governments
to work more effectively together

THROUGH

MANAGING CONFLICT AND DIFFERENCES

PART II: TOOL KIT

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FOREWORD

This series of training manuals coincides with the launch of the United Nations Centre for Human Settlements (UNCHS) Global Campaign on Urban Governance. The theme of "inclusiveness", reflecting the Campaign's vision and strategy, is deeply embedded in the themes and learning strategies covered by these manuals. While they have been planned and written to serve the developmental needs of non-governmental and community-based organizations, their leadership and staff, the context for learning implementation is consistently conveyed within the spirit and reality of widespread collaboration.

There is growing evidence and increased recognition of several themes that define and frame the urban governance agenda for the new century and millennium. The first, inclusiveness, implies that local governments and communities that want to be on the leading edge of social and economic change must recognize the importance of including everyone, regardless of wealth, gender, age, race or religion, in the process of forging decisions that affect their collective quality of life.

The second recognition involves shared leadership that cuts across the spectrum of institutional and community fabric. Ideally, these shared leadership forums will be based on mutual trust, open dialogue among all stakeholders, and a wide range of strategies for turning good ideas and common visions into concrete actions.

As described in the Prologue, this series of learning implementation tools has been a collaborative effort by Partners Romania Foundation for Local Development, UNCHS (Habitat) and the Open Society Institute. Major funding for the project was provided by the Open Society Institute's Local Government Initiative Programme with other financial support from UNCHS (Habitat) and the Government of the Netherlands. Partners Romania managed the project under its Regional Programme for Capacity Building in Governance and Local Leadership for Central and Eastern Europe. These responsibilities included field testing the Participatory Planning and Managing Conflict and Differences manuals in a training of trainers programme involving 18 participants from 13 Central and Eastern European countries and members of the Commonwealth of Independent States.

The initiatives for launching this series of training manuals came from two different regions of the world. The Steering Committee for the Regional Capacity Building Programme for Central and Eastern Europe identified conflict management and participatory planning as two of their region's training needs during their deliberations in 1997. In addition, a diverse group of NGO, CBO and local government leaders from across Sub-Saharan Africa met in 1998 and identified these topics, as well as others covered in this series, as important training needs.

Finally, I want to thank Fred Fisher the principal author of the series and the superb team of writing collaborators he pulled together to craft these materials. These include: Ana Vasilache, director of Partners Romania, who managed the process from Romania; Kinga Goncz and Dusan Ondrusek, directors of Partners Hungary and Slovakia respectively; David Tees, who has contributed to many UNCHS publications over the years; the trainers who participated in the field tests of the materials; and, the team of UNCHS staff professionals, headed by Tomasz Sudra, who brought their considerable experience and expertise to fine tune the final products.

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SOME THOUGHTS ABOUT USING THE TOOL KIT

Part Two of this manual is a tool kit for trainers and facilitators who want to plan workshops and other types of learning experiences based on the concepts and ideas covered in Book One. The tools are based on experiential learning approaches, designed to help participants tap their experience and knowledge about the subject and to enhance their skills to manage conflict and differences more effectively as a result of the training. The tools are not in any particular order of importance, nor are they sequenced to be "lifted out" and plopped into a workshop schedule as finished works of performing art. As with other training tools provided in this series, we want you to feel free to modify them to meet your learning objective needs and the needs of the audience you will be working with.

We have included a mix of tools that mirror the content covered in Part One as well as exercises designed to address various issues of group maintenance. These maintenance tools are most often referred to as *ice breakers, openers and energizers*. Sometimes these group maintenance exercises seem frivolous and can be if used too often or taken to extreme. Since these maintenance or "environmental" tools are sometimes confused with each other, it's probably worth a few moments to discuss them.

Icebreakers and openers have a lot in common but also some differences. Icebreakers are relatively subject-free activities whereas openers, as usually defined, are related to the content being addressed by the workshop or learning event. Icebreakers are typically used when group members do not know each other. They are exercises designed to help members get acquainted and become more comfortable with each other as learning partners.

Openers, on the other hand, are tools to help participants ease into the subject matter. They tend to set the stage for interactive learning, help the group including the facilitator avoid abrupt starts, and generally help the participants get comfortable with the content material they will be addressing. They are work-oriented "preludes".

The third type of climate building and group maintenance exercise is the energizer. Typically, it's a fun event to get the group's collective adrenaline flowing again when they are experiencing an energy slump. We have found that most training groups have participants who are skilled at leading these types of learning exercises. Don't hesitate to use these people. On the other hand, don't give up total responsibility for the program. Some trainees, we are convinced, only come to training programs so they can volunteer to organize icebreakers, energizers and openers. They can be great resources, but by the end of some workshops where the participants take responsibility for these maintenance tasks, it's hard to tell who's in charge.

As we said earlier, these tools are not intended to be used in the order they are presented. They are tools to be used if and when they seem appropriate to your needs. We also encourage you to modify them in ways that make them more appropriate and usable based on the learning needs of the participants.

TOOL I: WARM-UP/ICE BRAKER

Mapping the conflict management territory

Travel advisory: This exercise has much potential beyond what is suggested in the following process. For example, you can return to these participant generated expressions of conflict and tie them into Moore's Conflict categories (see Tool #4). You could ask the participants to put them into levels of conflict, e.g., interpersonal, organizational, cross border. Or, return to the cards at the end of the workshop and ask participants to add to their cards or otherwise change them. We're sure you and the participants will have many other ideas about how to mine these ideas for more precious metal once the workshop is underway, so keep the cards handy.

Learning objective
This exercise is intended to provide participants with an opportunity to get acquainted with each other and to begin exploring the concepts and ideas associated with conflict management.

Time required
About 60 minutes. If it takes longer, it probably means the participants have come up with some good maps of the territory to be covered in the workshop. Rearrange your time and anxieties accordingly.

Process
1. Explain the exercise as a way for participants to get acquainted with each other and to express and share their feelings and experiences with conflict. Give participants 4-6 large index cards and ask them to put their name

on one card. It helps if this card is a different color from the rest. On the remaining cards, ask them to write one word, phrase, picture or symbol that expresses their personal feelings about conflict on each card. To be sure the task is clear, we suggest you write the following question in large letters on a flip chart:

When you think of "conflict", what thoughts, feelings or images come immediately into your mind?

2. When participants have entered their ideas on index cards, ask them, one at a time, to introduce themselves and state what is on their cards. Ask for only questions of clarification at this time. Ask them to tape their cards on the wall putting the card with their name on top and the other cards underneath.

3. Ask the group for any general impressions of the ideas and images that have been posted.

4. Break the group into three or four smaller groups of no more than six participants per group and ask them to create a conceptual map on newsprint paper of the ideas that have been presented. You might want to remind them since somebody is likely to ask that a conceptual map is simply a way to cluster and organize ideas, information, data, and other snippets of insights so they convey a framework for thinking about a particular issue like, conflict management.

5. Convene the groups and have them display their conceptual maps on the wall.

6. When participants have completed this task, encourage a discussion of the exercise and its meaning as a way to become better acquainted with the nature of and consequences of conflict. Consider using some of the following questions to stimulate discussion:

   - **Were you surprised by any of the images or statements? What surprised you most?**
   - **What are some of the similarities and differences in the ways participants perceived and described conflict?**
   - **How might you, as a trainer or mediator, use this type of exercise to help those who are experiencing conflict to move toward peaceful resolutions?**

Don't hesitate to reinvent this exercise to meet the needs of the group you are working with. It is designed to be modified or remodeled on the spot as insights and ideas emerge from the experience.

TOOL 2: PRESENTATION POSSIBILITIES

"Thoughts without content are empty. Intuition without concepts are blind"
IMMANUEL KANT

Since most lectures are inconsistent with the principles of experiential learning, we suggest in its place a two-way dialogue or guided discussion to introduce a pertinent piece of information or concept that is germane to the next stage of the group's learning implementation. The following outline is designed to help you prepare an interactive presentation of new concepts, ideas, data, information, or materials.

Title of your guided discussion topic:

____

____

____

Key points you want to make:
(Three or four are probably enough if you want participants to remember them)

____

____

____

Real life examples you want to use to make your points:

Questions to your audience:
These should be designed to evoke comments based on their experience about the points you are making.

Summary of your key points or telling them what you told them!:

Describe how you plan to use visual aids to reinforce your presentation:

Another Travel Advisory: This voyage of discovery is beginning to get interesting. Before you go any further, we suggest you review the tools we have clustered under the label Tool 5. These icebreakers, openers, and energizers are just a few of the many you may want to use throughout the life of the workshop.

Also at this time we encourage you to think about how you can select a series of these tools to design a workshop for one of your client groups. What tools you finally decide to use will depend on your intended audience, their learning needs and your ability to deliver the training based on their perceived needs. Don't hesitate to pick and choose what you think will work from the tools in this manual, modify them to better fit the learning needs of your clients, fill in the gaps with tools from other sources and most importantly, invent some of your own.

TOOL 3: PERCEPTION EXERCISE

In Chapter 2 on *Understanding the Nature of Conflict* there is a discussion of the role of perceptions in fostering and fueling disagreements and conflict. Perceptions are often the surface manifestations of more deeply ingrained biases or prejudices. This short exercise is designed to help participants recognize that the way they perceive things may be different from the perceptions of others. It also illustrates that in some situations there are no right or wrong answers, just different ones based on how we see things.

This **squares** exercise can also be the *Warm Up* for deeper discussions about perceptions that are prevalent in the participant's organizations or communities that could lead to more serious disagreements or even conflict if not surfaced and addressed. Be creative in the ways you might use this simple exercise to dig deeper.

Learning objective
To adopt the viewpoint that there is more than one way to look at a problem or opportunity.

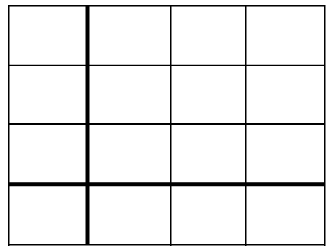
Time required
20-30 minutes, or more if you take it to Stage II.

Required resources
None

Process

Stage I

1. Draw the following figure on a flipchart making it large enough so that everyone in the group can see it clearly. Hand out small pieces of plain paper to each participant. Without explanation or introductory remarks, ask participants to observe the figure and to write on the piece of paper an answer to the following question: *How many squares do you see?*



2. Give participants 30 seconds to record their answers.

> ***Trainer's note***. Figures at the end of these task statements illustrate ways to determine the number of squares that individuals will see and incorporate into their answers. They will usually range from 16 squares to 30.

3. Collect the answers and record the numbers from their responses on the same flipchart, keeping the figure exposed to view.

4. When all their answers have been recorded, ask participants which of the answers is the right one. The answer to this question will often depend on the largest number of squares recorded. Some may say all of the answers are right since the question asked was about the number of squares you see and not how many squares there are. This is the response you are hoping for since it makes the point that what is correct for each of us is what we see at the time. Our perceptions are the reality we see and often reveal or communicate to others.

5. Ask participants *how they felt* when someone claimed to have seen more squares than they saw, e.g., I was skeptical, felt inadequate, felt curious. Ask them *what they did* when they realized that someone else had seen more squares than they saw, e.g., looked again to see what I had missed the first time; tried to find fault with the exercise or the instructor for making me look bad.

6. Encourage a discussion of the exercise by asking participants what differing opinions about the number of squares on a flipchart might have to do with the way people see issues in conflict situations.

Stage II: Digging deeper

Based on the squares exercise discussion, we think the participants might be prepared to look at an issue in the community or in their organization where there are differing perceptions that could lead to greater disagreement or even conflict if not surfaced in the immediate future. For example, it might be the initiation of a new performance appraisal system for employees that will be used for promotions and raises, a new sales tax to be levied on all sales of goods and services by NGOs and CBOs, or the perceptions of citizens about the influx of rural families into an urban neighbourhood. Perceptions about situations like these can escalate quickly into a more deep-seated set of perceptions that take on different labels.

Based on a real situation confronting the work place or community of the workshop participants, follow the perception exercise in Stage I with the following set of tasks. We can imagine this stage taking several hours based on the issues being discussed. Use your judgement about how long it might take.

1. Have the total group suggest an issue or issues that exist in their organizations or communities that are common and understood by most participants. Narrow the list to one or two if possible. This task will be easy if the group has been assembled to address a particular issue.

2. Form small task groups. Have them list on newsprint paper the various perceptions they either have about the situation, have heard from others or have learned about in other ways, e.g., read in the local newspaper.

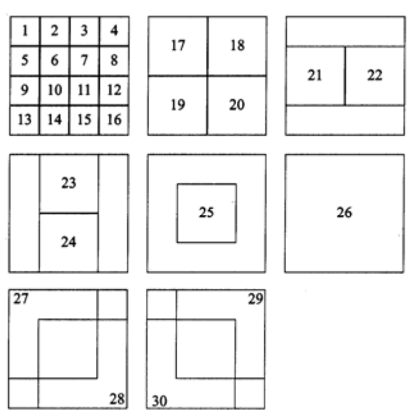
3. Have each group prioritize the perceptions in terms of their level of seriousness as flash points for potential conflict, or have them assign a degree of heat to each, recognizing that the higher the temperature, the greater the chance of spontaneous combustion.

4. If the groups are working on the same issue, have the groups reconvene and report out their list for comparison.

5. Reconvene the task groups to determine what could be done to alter the perceptions that exist to help reduce the potential for greater disagreement about the issue or to lessen the potential for future conflict.

6. Report out the action plans and discuss them.

A graphic explanation of the possible number of squares that can be perceived by participants in this exercise. Any number fewer than sixteen and over thirty deserve a very creative answer.



TOOL 4: CONFLICT CAUSES AND INTERVENTION STRATEGIES

Learning objectives
To obtain knowledge and skills in identifying the causes of conflict and potential interventions.

Time required
about 75-90 minutes.

Required resources
Handout provided with this exercise and the usual supply of newsprint paper, magic markers and some type of adhesive material that preferably doesn't leave permanent damage to the walls of the facility.

Process
1. Introduce the exercise with a few comments about the need to be able to identify the causes of conflict and differences among individuals, organizations, communities, nations, etc. To be an effective conflict manager, one needs a clear conceptual map of what causes conflicts and differences. This exercise is designed to help workshop participants sort conflicts and differences into different cause categories. You will be using a conceptual map of conflict causes developed by Christopher Moore (*The Mediation Process*, p. 27). He identifies five broad categories of conflict causes: data, interest, structural, value-related, and relationship. You may need to provide some examples of each but don't give away the storehouse of good ideas. That's their task.

2. Divide the participants into five small task teams using some imaginative way you haven't used before such as distributing in a random fashion small slips of paper with the first letter of each causal category on it. This will require making up these slips in equal number based on dividing the total population by five.

3. Instruct each group that they have 30 minutes to generate two lists: (a) Types of conflicts associated with the causal category they have been assigned, e.g., a data conflict might be caused by misinformation; and (b) Possible interventions to address the specific cause of the conflict.

4. Reconvene the teams and ask them to report out their list of causes within their assigned category and proposed interventions for each.

5. Ask participants to give examples from their own experience of conflicts or differences they have experienced and what intervention strategies were used to help manage the situation. Record these examples on different sheets of newsprint paper identified by Moore's five categories.

6. Hand out the Conflict Map by Moore as a reward for good work. It is available for photocopying and can be found on the following page.

Map of conflict causes and intervention possibilities: from Christopher Moore's The mediation process

Conflict Causes	Possible Intervention Options
Data Conflicts: • Lack of information • Misinformation • Differing views of what data is relevant • Different interpretations of the data • Different procedures for assessing data	**Data Interventions:** • Agree on what data is important • Agree on data collection process • Develop common criteria for assessing data • Use third-party expert for outside opinion or to break impasse
Interest Conflicts: • Perceived or actual competition caused by: ➢ Substantive interests ➢ Procedural interests ➢ Psychological interests	**Interest-based Interventions:** • Focus on interests, not positions • Look for objective criteria • Develop solutions that meet needs of all parties • Expand options and resources • Develop tradeoffs to satisfy interests of different strengths
Structural Conflicts: • Destructive patterns of behaviour or interaction • Unequal control, ownership, or distribution of resources • Unequal power and authority • Geographic, physical or environmental factors that hinder cooperation • Time constraints	**Structural interventions:** • Clearly define or change roles • Replace destructive behaviour patterns • Reallocate ownership or control of resources • Establish mutually acceptable decision-making process • Change from position to interest based bargaining • Modify means of influence used by parties • Change physical or environmental relationship of parties • Modify external pressures on parties • Change time constraints
Value Conflicts: • Different criteria for evaluating ideas or behaviour • Exclusive goals that have intrinsic values • Differing life styles, ideology or religion	**Value-related Interventions:** • Avoid defining problem in terms of values • Allow parties to agree and disagree • Create spheres of influence where one set of values dominate • Search for superordinate goals that all parties share
Relationship Conflicts: • Strong emotions • Misperceptions or stereotypes • Poor communication or miscommunication • Repetitive negative behaviour	**Relationship Interventions:** • Control expressions of emotion through procedures, ground rules, caucuses, etc. • Promote expression of emotions by making it legitimate and providing a process • Clarify perceptions and build positive perceptions • Improve quality and quantity of communication • Block negative repetitive behaviour by changing structure • Encourage positive problem solving attitudes

TOOL 5: POT-POURRI OF OPENERS AND ENERGIZERS

Here are some openers, energizers, and maybe even icebreakers for your amusement and consideration. They have been gleaned largely from the experience of working in Central and Eastern Europe in field tests and from training of trainer workshops associated with this and other manuals. They are designed to minimize the hazing of trainers by providing harmless diversions from whatever malady has afflicted the group on any given day. They are not listed in any particular order of importance or rationality.

A: Opener

This one can be used to illustrate aspects of win-win behaviour or various styles of conflict management from Kenneth Thomas five style framework covered in Part I of this manual.

Required resources

One pen and one sheet of A-4 paper for each two person team. Also prepare small pieces of paper for each person. Half should have the word *elephant* written on it and the other half the word *house.*

Process

Have participants form two person teams. Give each team one pen and one sheet of A-4 paper and one member of the team the slip of paper with *elephant* written on it and the other the one with the word *house*.

Instruct them that they are to draw both images on the A-4 paper in accordance with the following instructions: They must not show or tell the other person what image they have been instructed to draw. Both must hold the pen at all times. They cannot communicate verbally with each other. They cannot lift the pen point from the surface of the paper. And, they have five minutes to draw the two images. It will help to write these instructions on newsprint for all of them to see.

At the end of five minutes, stop the action and have each team report out their progress and how they worked together. Have them share their masterpieces for levity and talk about the conflict theory of win-win, win-lose or the Thomas strategies of collaboration, competition and other strategies that fit such as accommodation.

B. Energizer

This exercise requires a ball of some kind. If you don't have a ball or a collection of balls to tote around with you as a trainer, better rush out and buy a few. They are very useful tools, particularly in conducting these kinds of learning interventions.

Process

Simple. Ask the participants to form a circle and toss one person the ball with the instruction that he or she is to name a concept or important learning for the day, week, whatever. That person then tosses the ball to another and so on until all participants have had a chance to add to the data bank. This simple exercise has an infinite number of tasks you can attach to the process. Use your imagination and the experience of the group to ***keep on the ball***.

C. This can be a good ***day two opener*** or an energizer when the group energy hits bottom. Form the ubiquitous circle and have each participant express conflict non-verbally. Expect a few X rated responses from the extroverts in the crowd.

D. The many ball opener-energizer: Here's an exercise to associate with a mediation or negotiation process that deals with multi-parties. You'll get the picture as you read further about how the process unfolds.

Required resources

Lots of balls, balloons, old socks stuffed with left over dinners, whatever.

Process

Again make the ever-present circle of participants. The facilitator instructs the group that the ball or similar object gets thrown to the same sequence of persons each time. Just to be clear about this, the person who receives the ball from the same person each time passes it on to the same person to whom they passed the last ball.

This passing of the first ball continues until everyone in the circle is included. Then the facilitator introduces more balls into the process, slowly at first and then more speedily. Of course, the process finally breaks down and some interesting things usually happen to illustrate what can take place in multi-party negotiations or mediation.

The focus of each person narrows to the person they receive the ball from and the person they throw it to. All others in the circle tend to be ignored out of necessity. There are cross messages taking place that only a few are aware of. There are limits to the efficiency of the group in this process. And then, the facilitator throws in an old sock or a balloon and the dynamics change. Some of the participants may have a problem managing the change. Well, you get the picture. It's an exercise that can illustrate a lot of behaviour one might experience in a multi-party negotiation or mediation.

E. An icebreaker for openers

This exercise is designed to help a group get acquainted at the beginning of a workshop.

Required resources

Only a lot of open space for participants to move around in.

Process

The trainer-facilitator asks the participants to cluster themselves in different parts of the room according to such criteria as: where they are from geographically (picture the floor space as a big map of the region or country); where they work (maybe assigning different spaces for different kinds of organizations); experience in mediation, training, or whatever; and then any information that you feel might be relevant or fun or both.

After a few rounds of this, ask the small groups that have assembled last to spend a few moments to discuss their expectations for the program and to be prepared to report their list to others.

Summarize the total results from the exercise to bring closure to the event.

F. Another opener on concepts of win-win, or is it win-lose?

Required resources

Lots of pieces of candy.

Process

Ask the participants to form two person teams. Tell them they will be involved in a team task where they will be rewarded **individually** for their good works. Good works is defined as the number of times they can end up with their thumb on top in a thumb topping competition. Instruct each team to clasp hands in such a way that their two thumbs are on top of the clasp ready to take a commanding position on top of the other thumb, of course. Another very important instruction: they cannot communicate verbally with each other! Give them only about 15 seconds to complete their competition.

Stop the thumb jousting and go around the room asking each person how many times they managed to have their thumb end up on top of the other person's, and then reward that person with that many pieces of candy. You may not want to make Belgian chocolates the reward standard! Some teams will immediately recognize the advantages of collaborating so they both win. Others will be more competitive and come out with lower potential caloric input.

TOOL 6: GATHERING DATA ABOUT A CONFLICT

Learning objective

To s kill in the design of methods for gathering data about a conflict before intervening to resolve it.

Time required

90-120 minutes

Required resources

Case situation located at the end of this exercise.

Process

1. Systematic data gathering about a conflict, while perfectly logical in theory, is often disregarded in practice as parties to the conflict rush to forge a solution to their dispute. The main tasks of this exercise are to gain skills in understanding what questions to ask and to develop methods for collecting information and insights about the conflict before investing time and other resources in an effort to resolve it. Participants will be working in

small groups of five to eight participants to develop an information and data collection process that will help them better understand the nature of this neighborhood conflict before it gets “out of hand”. The results of their fact-finding strategy would form the basis of an intervention strategy to help the neighborhood residents resolve their differences.

Your first task as trainer is to provide a short guided discussion about fact finding and analysis. Probably the easiest way to prepare for this task is to refer to the companion manual *Building Bridges through Participatory Planning*. Once you have located that “valuable” document, turn to Chapter 6 where you will find a set of questions to ask to understand the problem and Chapter 7 for a detailed description fact-finding and data-gathering options. Essentially, there are six broad alternatives for gathering data about a situation like the one described in this exercise. They are: interviews; questionnaires; a combination of these two approaches; document analysis; direct observation; and the team's experience, knowledge and intuition.

2. Immediately following this guided discussion of problem-finding and fact-finding methods, divide the participants into teams of 5-8 members to identify the approaches they would use to better understand the conflict before bringing the parties together to manage their differences. Their task is twofold: to determine what additional information they would need to help resolve the growing conflict and to determine the fact-finding tools they would use to get the information.

   They are expected to include a variety of assessment tools as part of their overall assessment plan. This task will take from 45-60 minutes. You might call their attention to the Moore map of conflict causes as one tool for organizing their thinking about the facts they will want to collect as one of the first steps in resolving the potential conflict that is brewing in this case study.

   Some of the questions they will be looking for answers to are:

   1. What issues are at the heart of the conflict?
   2. Who is involved and in what way?
   3. How long has the conflict has been going on?
   4. What has already been done to resolve it?
   5. What might be the consequences of not finding a way to resolve the conflict?

3. When small groups have completed this task, ask them to reconvene to discuss the exercise. Each small group should be asked to report its overall data and information collection strategy. Continue the discussion by asking questions like the following to encourage an exchange of viewpoints:

   - From the group presentations, what similarities were obvious in the assessment approaches of each team?
   - What important differences did you observe?
   - What changes would you make in your group’s assessment approach based on the various group presentations?
   - What value do you see in the use of systematic data gathering before intervening to resolve a conflict?

   The case study can be found on the following pages.

This case study is rich with other learning possibilities beyond the fact-finding tasks outlined above. You could ask the workshop participants to imagine what might happen if no action is taken. No doubt the potential for conflict will grow. For example, old cars parked everywhere from the “new” auto salvage business, more weekend trucks, fences going up, guard dogs, vandalism, more newcomers and … well, you get the picture. It is an opportunity to explore how conflicts escalate.

Consider taking the case study to a new level of learning by having your participants, working in the same small task teams, develop strategies for addressing these differences and the potential for future conflict. You could add more details to the case study (Part II) to enrich its potential for learning about developing problem-solving strategies. For example, you could include information on: police reports; meetings held; age differences; number of pre-school children; local government actions to date; rate of unemployment in the neighborhood; numbers of old-timers vs. newcomers; and more.

We mentioned earlier the training manual on Participatory Planning which is a part of this series. It has training exercises you could use to take the participants through a problem solving experience, based on dispute resolution approaches that are more directly associated with management principles and practices.

Case Study: THERE GOES THE NEIGHBORHOOD!

A conflict situation in search of understanding and resolution

You are part of a social research institution located in a region that has been under-going rapid social and economic changes in the past decade or more. Your team has been asked to provide assistance to a small town about 80 kilometers away that is experiencing increasing tension among its citizens. In fact, there have been some ugly confrontations recently. The mayor says he thinks he understands what is causing the conflict but needs an outsider's perspective that is based on more fact than emotion. The town of about 10,000 in population has been a market and service center for an agricultural area, but many of the surrounding farms are no longer productive, and the decline in agricultural productivity has affected the overall economy. There is a high level of unemployment in the town and surrounding countryside.

As the mayor described the nature of the recent conflicts, they have centered on one specific residential area of town. The neighborhood where the conflicts seem to be most urgent is an older residential area with a number of vacant houses and others that are being rented by absentee landlords to low income families who have moved in from the surrounding rural areas in recent years.

The neighborhood is located between two small streams that empty into a major river in the center of town. The wetlands located adjacent to the streams, have traditionally been used by the neighbors for planting gardens. Fewer and fewer of the old residents are planting gardens, and the stream banks have become a dumping ground for trash and garbage. One of the new tenants in the neighborhood even dragged an old vehicle into the back of the lot where he lives. There are rumors that he plans to start an auto salvage business on the property since there doesn't seem to be any law prohibiting it.

The older residents' families have lived in this neighborhood for generations, and they have prided themselves for maintaining their properties and the adjacent open space in pristine condition. But many are now in their later years of life and lack the energy to care for their property like they did in the past. Nevertheless, they are distressed about changes in the neighborhood. The older residents have called the police many times to file complaints about their new neighbors - the loud noises, their unwillingness to keep their properties and the public open spaces in good repair, and young children playing on their property. As one of the old timers told the head of the research team,

> *"I can't understand how people can live this way! They have no respect for private property. Their kids run wild in the streets. They hold big parties in their back yards that seem to attract everybody in the region. They throw their empty beer cans in the creek and dump their garbage along its banks. Why don't they go back to where they came from?"*

Most of the newcomers in the neighborhood come from a particular ethnic group that has a reputation for a lifestyle that is different from those who are descendents of the original settlers in the region. The newcomers are more gregarious, enjoy spicy food, which some neighbors even complain about because of the aromas, tend to party long after the neighbors have gone to bed, and make their living by trading goods and services brought into the area from other countries. They park their trucks on the narrow streets in the neighbourhood on weekends, and this also has their neighbors upset. These are some of the issues a researcher learned about from one of her first trips to survey the situation. She told her colleagues that these issues are just the tip of the iceberg. If something isn't done soon to manage the differences that exist within this neighborhood, she fully expects the situation to escalate.

TOOL 7: IMAGE EXCHANGE

Travel Advisory: This tool can be very effective when used in certain circumstances. For example, the principal author has used the image-exchange approach to dispute resolution with groups of local government officials from different communities who had major differences and were interested in improving their working relationships with each other. The key variable was their *willingness* to take action. He has also found it an effective tool to use within organizations where there are major differences that affect productivity and morale of all those who are affected by the conflict.

If it can be so effective, why the *travel advisory*? It's not the type of exercise that works very well in an imaginary situation, like applying it to the case study in Tool 6, for example. In fact, it was used during the field test of the manual and was a bit of a disaster. However, the image-exchange process has proven effective over and over again when applied to situations where both sides of a conflict are willing to take constructive steps to resolve their differences. We recommend you think about using it when you have clients who are committed from all sides of the disagreement or conflict to seek resolution.

Tool 8, which follows this one, is very similar in approach so a word or two about it while we are offering *traveler's advice*. Role Negotiation is a tool to use when there are differences of perception about what individuals or groups of individuals are to be doing within a task-oriented situation. These perceptions get translated into actions that further complicate the situation. A with the Image Exchange tool, this one works best within the context of a real situation although training participants can role-play the methodology to become familiar with how to use it.

Given the importance of applying Tools 7 and 8 to conflict situations rather than skill-building sessions within a workshop environment, the format for presenting these tools will be slightly different.

Learning objective:

To help individuals and groups resolve differences and solve problems through an exchange of perceptions about themselves and others.

Time required

Based on the complexity of the differences between the groups in conflict, this activity could take an entire day. Plan your time based on what is known and possible remembering that you will be working with individuals who are interested and committed to bringing about positive changes in their relationships.

Required resources

This exercise depends on the parties in conflict generating lists of perceptions and information about their work relationships. Given this you will need flip chart pads, easels, marking pens and tape or other adhesive material so the fruits of their efforts can be displayed for all participants in the exercise to see. You will also want to have two separate rooms so the parties with the differences or conflict can work openly with their own members in developing their lists. We also believe it is important to have two consultant-facilitators involved in this exercise so both teams have someone to assist them during their work in separate teams.

Process

1. **The need for pre-meeting ground work**: The actual process of doing an image exchange is a simple one. It involves the generation and exchange of perceptions and information between parties in conflict. It is also a complex process since it involves individuals, groups, or organizations who are experiencing conflict of some kind. The actual image exchange is typically preceded by a series of contracting meetings between the consultant-facilitator and the two sides who have indicated a willingness to come together to work on their differences. (See the Participatory Planning manual for detailed instructions on consultant-client "contracting" meetings). Once both sides have agreed to come together, you will want to set up a comfortable and neutral meeting environment where the image-exchange and problem-solving sessions will take place.

2. **The working sessions**: After introductions and an appropriate ice-breaker exercise, describe the process in some detail to those who will be involved in the image exchange. After questions for clarification about the process, ask the two groups who are in contention to meet separately to generate three lists of perceptions about the relationship between the two groups. This part of the process can be time consuming. Ask them to report back in one hour but be prepared to extend the time if necessary.

3. Their tasks, working as two separate groups, are to generate responses to the following three questions.

    - How do we see ourselves in terms of the differences we are experiencing with the other group or organization?
    - How do we see you, the group we are in conflict with?
    - How do we think you see us?

4. Reconvene the two groups and ask them to present their responses to the first list, how they see themselves. Ask for questions of clarification only, no arguments, no refuting what they have heard. Follow this exchange by having each group present its second list followed by questions for clarification. And, finally have each group present its final lists of perceptions.

5. The next step in this process is to have the groups compare their lists for areas of agreement. This discussion is followed by a thorough look at perceptions that are contentious for whatever reason. They may be based on misunderstanding, misinformation, stereotypes, prejudices, or other reasons. These need to be explored thoroughly to determine the underlying causes that cause them to be sources of disagreement or conflict.

6. After the presentations and discussions, ask the groups to meet separately again. This time, ask each group to generate two new lists on the flip chart:

   (a) *Based on what we have learned from this exchange, we are prepared to do the following to help resolve our differences:*

   (b) *And, we want you to do the following to help resolve our differences: …*

   Give the groups at least an hour for this task but monitor their progress carefully to assure that they have enough time to complete these tasks. Remember, they will be trying to reach consensus on each of the items on their lists of "wants" and "offers".

7. When participants reconvene, ask for reports from both groups and provide enough time for clarification of any issues that are not clear. After the reports, ask the groups to meet separately once again. This time, ask them to take with them the list of wants from the other group and to spend a few minutes deciding on a response to what the other group wants from them. Three useful ways to respond might be:

   (a) *W e can do that easily; we never knew this was something you wanted;*

   (b) *We are willing to do that, but only if you will …*

   (c) *We can't do this because …*

   Give the small groups another hour to finish this task.

8. When participants reconvene, have a spokesperson for each group explain the data. During this time, encourage participants to listen and to only ask questions at this time for clarification.

9. After these presentations have been made and any points of misunderstanding or confusion clarified, there are several steps you can take to assure that the commitments they have made are kept. Our experience in using this process for negotiating ways to deal with differences and possible conflicts has been positive. In most cases, participants in the image exchange take ownership of the process at this point and suggest ways of working directly in smaller mixed teams to resolve the differences that divide them.

10. When they do resolve their differences, honor their commitment by giving them the support they need to put together action plans and monitoring and evaluation strategies. Again, we refer you to the Participatory Planning Manual where you will find ample materials to help you provide assistance to the teams in developing their action plans and monitoring strategies.

11. These kinds of dispute-resolution, problem-solving sessions deserve to be rewarded. So, plan on a dinner or social event to celebrate their accomplishments.

TOOL 8: ROLE NEGOTIATION

Just a reminder that this tool is designed to be used to clarify roles and relationships between individuals, groups, or organizations that are experiencing difficulty in working together. While the tool can be used in a skill-development workshop on Managing Conflict and Differences, some changes would need to be made in the instructions to make them compatible with your learning objectives.

Learning objective

To clarify and change expectations about roles and relationships of individuals, teams, work groups, or organizations that are experiencing difficulties in working together.

Time required

It depends on how complex the role ambiguities are but plan for no less than 180 minutes to reach an amiable agreement.

Required resources

You will need a quiet and private space large enough to accommodate those you are working with to conduct this role negotiation. It is helpful to have some forms the participants can use to record their agreements on how they plan to work more effectively together. We've included some samples at the end of the process description.

Process

1. The process we are about to describe assumes you have reached the point where two parties are prepared to come together with the help of a facilitator to clarify roles, responsibilities and relationship issues. Since this series of manuals is directed in large measure to relationships between non-governmental and community-based organizations (NGO/CBO)and local governments, we have used this context to describe the process. You can easily change the actors we have used in these descriptive materials to reflect the identity of those who have asked for your assistance in negotiating their respective roles with the intent of working more effectively together.

2. Start the process by having a guided discussion about what this process is all about and what can be achieved through role negotiation. Here are some ideas about what to cover in this introductory session.

   - Role negotiation is an interactive process by which those involved make joint decisions about their respective roles and how they can work more effectively together.

   - Role, in this context, includes not only formal job or organization mandate descriptions but also all the informal understandings, agreements, expectations, and arrangements that have accumulated to define the work relationship.

   - The technique assumes that most individuals prefer to negotiate ways in which they can interact and work together than to continue in a state of unresolved conflict, differences and misunderstandings.

   - Some risks are involved in these negotiations. Participants must be open about the changes they wish others to make in their role-related behaviour, authority and responsibilities to improve the quality and performance of their working relationship. Agreements made in these role negotiation sessions are expected to be honored. If they aren't, the working relationship might deteriorate even further.

   - Some ground rules are essential to assure a successful role-negotiation process. First, it is not legitimate to probe the other parties feelings or emotions. Role negotiation is about who does what with whom and how they do it. Second, all parties to the negotiation are expected to be honest and open about their own behaviour and the behaviour of others and to be committed to working toward new role definitions that will guide the relationship from this point on. Third, negotiation is a two-way process. Something requested from the other party must be accompanied by something offered in exchange. Finally, threats and pressure are unacceptable behaviours in trying to reach a mutual agreement that both sides find acceptable.

   - Agreements reached though this negotiation process are expected to be put into writing and agreed upon by all parties.

3. After the guided discussion based on the points just mentioned, ask each party to the role negotiation to spend some quiet time to respond to the following task statements. While these task statements reflect a role negotiation process between the leaders of a local government and a civil society organization, such as NGOs or CBOs, the wording can be changed to reflect other circumstances, i.e., role negotiation between a supervisor and work team that is locked into a deteriorating work relationship or between two department heads who need to work more effectively together. Now, here are those task statements we promised. They can be completed individually and then compiled if there is more than one person representing the negotiating parties, or the team can compile it working together. It also helps if these issues are listed on newsprint so all parties can see them at the same time. For example:

   - If you and your organization were to do the following things more or better, it would help me and my organization increase our effectiveness.

   - If you and your organization were to do the following things less, or were to stop doing them, it would help me and my organization increase our effectiveness.

   - The following things that you and your organization have been doing have helped me and my organization be more effective and I hope you will continue to do them.

4. When the individuals or organization representatives have completed drafting these statements, have them present them for discussion. At this point in the process, you want them to get clarity around the items they

want to negotiate, not get into rebuttals. Given this, “what?”, “why?”, and “when?” questions are appropriate. Statements aren’t.

5. Ask the parties to the negotiation to select those items from the lists that they can easily agree to do, stop doing, or do differently on both sides of the relationship to help each other be more effective in working together. This is a quick way to experience success and progress in the working relationship. Record them before they get lost in more difficult issues that will be negotiated in the nest step in the process.

6. At this point in the role negotiation, have both parties focus on those remaining issues that are most important to them and that will improve their own effectiveness as well as the quality of their working relationship. Typically these negotiations go something like this, “We are willing to do …. , if you are willing to do …. ” Or, “We can't do that because” at which point the two sides should be able to generate new alternatives to help each other be more effective.

7. Negotiations end when the parties have exhausted all possibilities to improve their working relationship and the effectiveness of each organization and their leadership based on the results of the negotiations. Write the agreement down as specifically as possible using the form provided or in another format more suitable to both parties.

8. End the negotiations by asking the parties to reflect on the experience.

NEGOTIATED AGREEMENT BETWEEN …

____________________________________ and ____________________________________

We mutually agree to accept and work toward the changes in role performance stated below:

As the representative of _____________________________ we agree to do the following:
(Name of organization)

1. ____

____

2. ____

____

3. ____

____

As the representative of _________________________ we agree to do the following:
(Name of organization)

1. ____

____

2. ____

____

3. ____

____

TOOL 9: CONFLICT MANAGEMENT STRATEGIES

Learning objective
To increase understanding of the five conflict-management strategies based on the Kenneth Thomas model and when to use them and when not to use them.

Time required
90 minutes

Process
1. Begin the exercise with a discussion of the Thomas conflict management model in Chapter 3 of the accompanying *Reader*. List and describe the five strategies on a flip chart and think of a common situation to illustrate each of them. Point out that there are no right or wrong strategies. The use and appropriateness of a strategy depends on conflict situation as well as the cultural context in which it is being used. The exercise is an opportunity for participants to evaluate the pros and cons of the five strategies based on their own experience and the experience of other participants.

2. Create five work groups and assign each group one of the five conflict styles from the Thomas model: competing, collaborating, compromising, avoiding and accommodating. Their tasks are to:

   - identify situations where their assigned conflict strategy would be appropriate to use
   - when it wouldn't be appropriate to use, and
   - the general advantages and disadvantages of using the strategy to manage conflict and differences.

3. Convene the participants and ask each work group to report their findings. Hold a discussion about the usefulness of this conceptual map in managing conflict and differences.

   1. ***Competing***. Assertive and uncooperative behavior focused on personal concerns at the expense of others.

   2. ***Accommodating***. Unassertive and cooperative behavior that neglects personal concerns in order to satisfy the concerns of others.

   3. ***Avoiding***. Unassertive and uncooperative behavior that neither pursues personal interests or the interests of others.

   4. ***Collaborating***. Both assertive and cooperative behaviors that emphasize working with the other party to satisfy both your concerns and theirs.

   5. ***Compromising***. An intermediate position on both assertiveness and cooperation often referred to as splitting the difference, seeking a quick middle-ground position.

TOOL 10: NEGOTIATION ROLE PLAY

Learning objective
To obtain skill practice in the negotiation process.

Time required
One to one and a half hour. It could be more depending on how you decide to conduct the exercise.

Required resources
Copies of the case study description for all participants (Part 1); copies of the various roles for each of those participants so inclined to perform the roles; and observer role worksheets for others.

Process
This negotiation scenario is designed to have the participants experience the opportunity to engage in interest-based negotiation although they should be encouraged to get the best deal they can based on the situation.

1. Review Chapter 5 of the Reader and remind the participants of some of the key points involved in principled negotiation. Point out the differences between ***interest*** bargaining versus ***positional*** bargaining. Those who negotiate based on position come across like debaters. They present their case, take a hard stand, and, if necessary compromise. Those who negotiate from position often see the world in zero-sum terms, e.g., there is only so much to go around. What the other person gets based on our negotiation takes away proportionately from what I will get.

   On the other hand, when one negotiates from the interest of both parties, they may start from position but quickly move to finding out why the differences between them exist. What may start as "how do we divide up the pie" quickly turns into a vigourous process of problem finding and resolution seeking, working from the interests of all parties to the negotiation, not their positions about what their bottom line should reflect at the end of the process.

2. You can structure this exercise in several ways depending on the time allotted, the number of people in the workshop, and what you hope to achieve. If you simply want to point out the differences between interest and position negotiating, then one role play may be enough followed by a guided discussion about what happened in the role play situation. If you want to provide opportunities for a larger number of your participants to experience negotiating directly, you could divide the total group into sub-groups of three, two performing the roles of the two bargainers and one as observer.

   Assuming you go the maximizing route just mentioned, divide the participants into sub-groups of three and ask them to decide who will play the parts of Ms. Maroni or whatever you decide to call this person and Mr. Swartz and who will be the observer. Give them all copies of the negotiation description and ask them to take a moment or two to read it. Ask for questions of clarification.

3. Hand out the two roles and the observer questionnaire and tell them to find a quiet place to conduct their negotiations. Ask them to read the role descriptions and to take about twenty to thirty minutes to complete the negotiation process.

4. Convene the sub-groups and have each observer report out the agreement the two negotiators reached and any observations they would like to make about the process.

5. Conclude the session by having the participants brainstorm the qualities that describe a principled approach to negotiation. Be prepared to fill in those points they might have missed.

Case Study
KEEPING THE DAY CARE CENTRE IN THE NEIGHBORHOOD

A case study for improving negotiation skills

Ms Shuba Maroni operates a day care centre in one of the low income neighborhoods in Timarash. Her services have been very popular with her clients and recognized by the city government and local Chamber of Commerce for its contribution to the revitalization of the local economy. The parents of more than 70%of the pre-school children in her program work in a shoe factory about five blocks from her current location.

Unfortunately, she is about to lose her lease and must find another location before her lease expires in four months. She has some ideas about how she might offer more services to the residents of the neighborhood but needs more room. Furthermore, she is reluctant to invest money to renovate a rental property and then be forced to move out at some future date. She has been able to save about $5,000 in the past several years, hoping that she might be able to buy a building.

Josef Swartz, a local businessman, heard that Ms. Maroni would be forced to move in a few months and is interested in buying a property in the same neighborhood. As he said to Ms. Maroni when he called her about her interest, "I just happen to own an old abandoned commercial building only three blocks from your current centre. It's perfect for your needs. Of course, it might take a little work to get it in shape but I'm sure we can work something out".

The two met a few days later to go through the building. Shuba was immediately interested but being a shrewd businesswoman she curbed her enthusiasm in front of Josef. When asked what he wanted for the property, he responded "I need to get $50,000". Her immediate response was, "You got to be kidding! I run a day care center, not a casino". To which he replied, "I'm sure we can work something out". Before they left the building, they agreed to meet in a few days to see if they could reach an agreement on the sale of the building.

Instructions for Ms. Maroni

You have talked to a local bank, and they will only loan you $45,000 to purchase the building. In addition, you have talked to a local contractor about the renovations you will need to make to the building before you move your day care centre and he estimates the cost will be about $7,000. The cost of moving your furniture and equipment from your old location to your new one is estimated to be $3,000. When you add up the total cost of the building, renovation and moving, it comes to $60,000. With your $5,000 in savings and the loan you come up $10,000 short. There is no way that you can afford the difference, but you don't want to lose the opportunity to buy the property since you think it will meet your needs.

There is a small building on the back of the lot that you don't need, and you think it could be rented, but you don't want that responsibility. You have also heard that Mr. Swartz owns a small trucking company. Based on the estimated revenue from the additional children you will be able to accommodate, you would be able to pay Swartz $50,000 if he would agree to cover about $4,000 of the total cost in monthly payments over a two year period. But you're not sure he would be willing to agree to not getting all his money immediately. Even if he does agree to taking the $4,000 in delayed payments, you will still be $6,000 short based on the estimated costs of renovation and moving. You are prepared to negotiate an overall agreement that will allow you to move your day care centre to this new venue at the end of your current lease. Nevertheless, you are determined to get the best agreement possible.

Instructions for Mr. Swartz

You are not prepared to lower your price for the building. However, you are very interested in selling this property to Ms. Maroni for personal reasons. Your mother was born in a small house that was located on this property before the commercial building was built. She spent her childhood in the neighborhood before moving to another part of town. She had been very active in supporting community programs for low-income children before she died several years ago. The thought had crossed your mind that it would be nice to have the day care centre named in honor of your mother, but you're not sure how to raise the issue with Ms. Maroni.

Before you made the decision to sell the property, you had thought about converting the small building on the back of the property into an office for your trucking business but never got around to it. You've been looking for another location in the neighborhood since you thought the commercial property would sell easier if the small building was included in the sale.

This is not the first property you have sold in this neighborhood. In the sale of two other properties you agreed to delay a small part of the total cost for monthly payments over a short period of time. In both cases the purchasers were late in many of their payments and you had to spend a lot of time trying to get your money. You told your wife not long ago, "I'll never sell another place without getting all my money up front. It's just not worth the hassle". You think the day care centre has made a valuable contribution to the neighbourhood, but you aren't prepared to do whatever it takes to keep it there. You are determined to get your original asking price for the property.

Observers Checklist

1. Was each party clear about what they wanted from the negotiations?

____

____

2. What were the most difficult points to reconcile during the negotiations?

____

____

3. Was there a point in the negotiation when there was a clear breakthrough, when each side started to move toward mutual problem solving? If so, what was it?

____

4. Were the interests of both parties met as a result of their discussions? Describe the final agreement:

TOOL 11
ASSESSING MEDIATION MODELS AND CREATING YOUR OWN

Learning objectives

1. To understand when to use and when not to use mediation as a conflict resolution intervention.

2. To gain the ability to design mediation processes that are appropriate for resolving conflicts in specific national or cultural settings.

Time required

120 minutes

Required resources

Handouts, as specified in the instructions, from Book 1 of this manual

Process

1. Introduce the exercise by describing mediation's long history and multi-cultural use as a tool for resolving conflicts (see Chapter 6 in the *Reader* for ideas). List several definitions of "mediation" on a flip chart and ask participants to read them and discuss what the definitions have in common. Continue the discussion by asking how mediation as a process for resolving conflicts differs from negotiation.

2. On a sheet of newsprint compile a random and thoroughly mixed list of conditions that make mediation either an appropriate or inappropriate intervention strategy for resolving disputes. See the last page of the exercise for a list of appropriate and inappropriate conditions.

3. Divide the participants into two groups of equal size. Ask each group to review the list and to choose the conditions they feel would be appropriate for mediation and the conditions that would be inappropriate together with a brief written explanation for their choice in each case on a flip chart. Give them 30 minutes to complete the task.

4. After thirty minutes, have the groups reconvene and report their lists. After both reports have been made, discuss any differences there might be in how they have categorized the list of conditions. Compare their responses with the list provided on the next page.

5. In preparation for the final phase of the exercise, provide participants with a reprint of the three mediation models that are detailed in Chapter 6, Part 1, of the manual - the Raider-Coleman model; the Friends' Mediation Process; and Christopher Moore's approach. Ask them to read the three descriptions and then divide the participants into small groups of four or five participants. Each group is to discuss the similarities and differences of the three models, and based on their discussions, develop a mediation process they feel would be best suited for use in their own country or region. Each group should outline their approach on newsprint for reporting and discussion. Give the groups about 60 minutes to complete the task.

6. Reconvene the groups to present their reports. Ask each group to describe how they arrived at their own model for mediation. Encourage a discussion of similarities and differences among the groups.

7. Close the session with a discussion about the use of this dispute resolution approach in their community and work settings. You might also ask them to comment on whether they believe this conflict management approach should become more common in their communities. If so, how might it be used effectively?

Conditions that make mediation an appropriate intervention

- Strong emotions have affected their judgement.
- The parties know each other.
- There is no great disparity in the power relationship between parties.
- Those in conflict live together, work together, or for some other reason can't put distance between them.
- One party feels uncomfortable about confronting the other without a third party present.
- Those involved want to control the outcomes.
- Maintaining the relationship is important.
- Those in conflict feel they need the skills and support of a third party to work out their differences.
- The need for a quick decision.
- Confidentiality is important.
- Lots of people are involved, e.g., a neighborhood dispute.
- The parties want to avoid a formal, costly public procedure, e.g., litigation.

Conditions that make mediation an inappropriate intervention

- There are strong indications that one party intends to use the mediation to inflame the conflict or use it to achieve ulterior motives such as threats, gathering information to use later, appearing cooperative, etc.
- One party comes across in the preliminary discussions as not able to listen to others, or the party is too disturbed to work toward a collaborative agreement.
- Something traumatic has just happened that will keep either party or both from useful participation.
- A power imbalance exists that makes mutual decision-making unlikely.
- One of the parties, or both, would be better off working through other forums, e.g., the courts.
- The main issue or dispute cannot be resolved through mediation.
- Key parties are unwilling to participate in the process.
- Neither side is ready to consider a settlement of their differences.
- Another forum is more appropriate for dealing with the conflict, e.g., laws have been violated.
- There is no mechanism to assure implementation of the agreement.

TOOL 12: CONFLICT MANAGEMENT AND POWER

The following tool is designed to help mediators and negotiators assess the various power sources of those individuals, groups or organizations for whom they will be providing services. Inequities in status, position, resources, and other forms of potential power are always at the bargaining table whether explicit or otherwise. They can have profound effect on the deliberations and outcomes. It is better to recognize their existence and to prepare for them than to assume they will somehow go away or not be of any significance.

With some modification in the process as described below, this instrument can also serve as a workshop-based awareness and knowledge-enhancing exercise. If it is used in a training context, consider starting the session off with a guided discussion of the descriptive materials that precede the questionnaire.

Learning objective

To assess the various power sources of participating parties scheduled to engage in negotiation or mediation processes.

Time required

90-120 minutes

Required resources

Self-assessment questionnaire

Conceptual map of power sources

French and Raven[1] have identified various categories of power that are useful to know about from the perspective of managing differences and conflict. We will assume there are only two parties to the conflict or difference in describing these power sources. There may be many and each would have to be assessed in relationship to others based on the specific situation. The power sources are:

- **Reward Power** is based on the belief by Party B that Party A in the conflict situation can provide rewards - promotions, favors, recognition, access to material and other resources.

- **Coercive Power** rests with B's perception that A has the ability to punish - to inflict pain, reprimand, demote, and take away privileges.

- **Legitimate Power** is based upon holding a particular position, title or office in an organization or society. The position gives that party the right to exert power over others.

- **Referent Power** is based upon B's identification with A as a party that engenders such responses as respect, obedience, and allegiance.

- **Expert Power** comes from B's belief that A possesses some special knowledge, skill or expertise.

- **Information Power** is based upon B's belief that A has information or access to information that is important to the outcome of the process.

To these six categories of power by French and Raven, we add two more that are commonly experienced in conflict situations.

- **Connection Power** is based upon B's belief that A has connections with influential or important people.

- **Catalytic Power** resulting from the ability to combine two or more bases of power, each of which by itself may be insufficient to produce results.

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[1] French and Raven, "The Bases of Social Power" in D. Cartwright (ed.) ***Studies in Social*** (Ann Arbor, University of Michigan 1959).

Of these bases of power, three, reward, coercive, and legitimate power, focus on the power holder and his or her ability to change the behavior of another party despite resistance by that party. The remaining four types of power, information, referent, expert, and connection, often contribute to the success of one party in a conflict situation based on the perceptions of the other about the strengths or weaknesses of these power sources.

Managing power relationships

It may be useful to consider some basic propositions about the nature of power in arenas where there are differences and conflicts to manage.

- Power relationships are dynamic, not static, and subject to constant re-negotiation.

- The absence of power in many relationships may be more pervasive than the use of power.

- Power voids make individuals and institutions vulnerable to their environment.
- Filling and managing power voids may be more effective than managing power surges.
- The powerless in organizations and communities often do not recognize their own strength in power relationships.
- The process of maintaining power involves constant bargaining between those who perceive they have power and those who perceive they don't.
- The powerful need assurance that their power is held rightfully within a relationship which sanctions its use and validates its right.
- The first power of the powerless is the orderly use of disbelief, e. g. refusing to accept the definition of oneself that is put forth by those in power.
- Institutional powers sources are bounded, but the boundaries can be redefined.
- Sharing power is not the same as giving it away.

The successful mediator or negotiator is neither naive or cynical about the role that power can play in the everyday management of conflict and differences.

Assessing the sources of power in conflict situations

Every party in a conflict situation has sources of power available in varying degrees to help them to either resolve the conflict or keep it going. The following questionnaire is designed to assess the likelihood that the principal parties in a specific conflict situation to influence the outcomes could use these power sources. Seven potential sources of power are listed in the columns on the left side of the table. To the right are two sets of columns for assessing whether these power sources could be factors in influencing the outcomes of any negotiated or mediated settlement. The instrument assumes the conflict resolution effort involves only two parties. Add more columns if needed.

There are three choices for assessing whether or not each of these power sources could be a factor in affecting the outcome of any negotiated or mediated settlement:

1 = Not a factor; 2 = Could be a factor; 3 = Will definitely be a factor

Circle the number in each column that represents your best judgement about the probability that each of these power sources will be a factor in affecting the outcome of the negotiation or mediation of the situation in contention.

TYPE of POWER	Party A (________)			Party B (________)		
Reward Power: Ability to reward through such things as promotion, favors, recognition, access to information and other resources.	1	2	3	1	2	3
Coercive Power: Ability to punish through such things as demotions, dismissal, reprimands, and the removal of privileges.	1	2	3	1	2	3
Legitimate Power: Has legitimate right to exert power over others.	1	2	3	1	2	3
Referent Power: Perceived as possessing personal traits that command respect, obedience, and allegiance.	1	2	3	1	2	3
Expert Power: Has skills and expertise to get what they want.	1	2	3	1	2	3
Information Power: Has information or access to information that is important to them in this situation.	1	2	3	1	2	3
Connection Power: Has connections with influential or important people that can help them.	1	2	3	1	2	3

Developing a power strategy

Based on the assessment just completed, how will you use it to your advantage either as a party to negotiation or mediation, or as a third party negotiator or mediator? In either case you will want to prepare your strategy before the mediating or negotiating begins. Here are some suggestions of steps you can take to be prepared.

1. List all the power sources that have been assessed as 3, definite factor and

2. A “could be” factor, and answer the questions that follow.

Party A: ____________
Factor: ____________

Will this power source be used to resolve the conflict or difference?
(Yes: __ No: __) Or to sustain it? (Yes: __ No: __)? And, why do you think this is the case?

____

____

If you are Party A, what will be your strategy for using this power source? If you are Party B, what will be your strategy for coping with the use of this power source by the other party in the conflict?

____

____

[Make additional forms for preparing your strategy.]

Party B: ____________
Factor: ____________

Will this power source be used to resolve the conflict or difference?
(Yes: __ No: __) Or to sustain it? (Yes: __ No: __) And, why do you think this is the case?

____

____

If you are Party B, what will be your strategy for using this power source? If you are Party A, what will be your strategy for coping with the use of this power source by the other party in the conflict?

____

____

[Make additional forms for preparing your strategy.]

TOOL 13: A DISPUTE SIMULATION

Learning objective
To obtain skill practice in preparing for mediation and mediating a dispute in a city building-code enforcement simulation.

Time required
180 minutes

Required resources
Two handouts: a case situation and an observer’s guide.

Process
1. Begin the exercise by telling the participants that they will be involved in a two-part simulation. The case, The *Building Permit Dispute*, provides substance for the simulation. It concerns a dispute between city officials and a local manufacturing company that has been denied a permit to build a plant owing to a violation of the city building code. The full text of the case can be found at the end of the exercise description.

2. The first part of the simulation is a meeting between the mediators and the principal parties to the conflict: the president of the manufacturing company that wants to build in the city, her chief engineer, the mayor and the environmental code enforcement officer. The purpose of this meeting is to help representatives from both

sides understand the principles and processes involved in mediation. This first stage will take about 45 minutes.

3. Describe the second part of the simulation as consisting of two rounds of mediation to provide more participants with direct experience in doing mediation. Each of these simulated mediation events should take from 60 to 90 minutes.

4. Divide the participants into two groups. Give participants in each group a copy of the case and ask them to read it. When they have finished reading, take a few minutes to decide who will play the roles of the two-person mediation team and the four principal parties to the conflict during the two-part simulation. When these decisions have been made, tell the persons in each group who are playing mediator roles to use the Raider and Coleman model for mediation as described in Chapter 6 of the *Reader*. The rationale for using this model is based on its simplicity in contrast to the other two. Tell the participants in each group who are not playing roles that they are to participate as observers. Give each of the observers an observer ' guide on which to make notes while their group is actually engaged in the simulation.

5. Ask the two groups to meet in separate work areas. In each group, ask participants on each side of the dispute and the mediating teams to meet separately to prepare for the meeting. See the *Warm-up* stage of the Raider and Coleman model. After 15 minutes, tell participants in each group to complete the *Warm-up* meeting as preparation for the simulated mediation to follow.

6. While the two groups are meeting to prepare for the warm-up session, ask the observers in each group to assist in arranging and equipping the training room as a proper setting for mediation. See Stage 1, *Opening the Mediation* of the Raider and Coleman model. When participants in the two groups are ready begin the second part of the simulation by asking members of the first group to be seated at the table prepared for the simulated mediation. With observers and members of the second group seated in a circle around the mediation table, begin the simulation. In 60 to 90 minutes and after the closing stage of the mediation conclude the simulation. After a few minutes and with members of the second group seated at the table, begin the second round of mediation now with observers and members of the first group seated in a circle around the mediation table.

7. When the second round of mediation has concluded, ask for feedback from the observers and involve participants from both groups in a discussion of the exercise.

Trainer's note: This simulation exercise can be altered in many ways to fit the needs of the training participants. This could mean writing a different scenario to reflect a situation that would be more familiar to the participants, changing the roles to be performed in the mediation process or using a different mediation model. The intent would still be the same: to help participants understand the mediation process and gain mediation skills.

Case Study: THE BUILDING PERMIT DISPUTE

The Environmental Code Enforcement Officer for the city has just refused to give her approval for the construction of a new manufacturing plant within the city limits. The refusal was based on a technicality concerning the emission of a gaseous substance that exceeds by an estimated five percent the standards set forth in a local ordinance. The emissions law was adopted by a previous locally elected council. The officer is correct in her interpretation of the regulation and within her rights as the enforcement official to deny the building permit. She has the backing of a small but very vocal environmental organization that has its offices in the city. The environmental group has told her, informally, that it is prepared to take legal action against the city if her decision is reversed either by her direct supervisor, the mayor, or the city council.

The mayor is running for re-election and has campaigned on promises to increase employment opportunities within the city. The new manufacturing plant will create 250 new jobs that are desperately needed within the city and immediate region. But, he is also known for his commitment to support his employees, particularly when sound judgement and legal regulations back their decisions. The mayor also had the backing of the environmental organization and its members when he ran for office three years ago, and he is known for his strong views on protecting the environment. The mayor has just announced that he will back his code enforcement officer's decision even though it will have negative consequences on the economic potential of the city, at least in the immediate future.

Upon hearing the mayor's decision, the local Chamber of Commerce held a news conference and strongly criticized the mayor for his decision while stating that the chamber also has concerns about protecting the environment. The environmental organization is one of the chamber's most active members. A spokesperson for the manufacturing company was present at the press conference and made a statement that the company was prepared to find another location if this matter of obvious “bureaucratic absurdity” could not be resolved. The plant spokesperson was on the city’s code enforcement staff at one time but was dismissed for being too lax in enforcing environmental regulations.

Just before the press conference ended, the former chamber president, a highly respected attorney in the city, suggested that it might be helpful to bring in a team of neutral mediators from another city to see if they could help resolve the conflict. In his statement, he recognized the rights of both sides to take the issue to the courts for litigation but expressed his concern about this alternative. He went on to predict that, “It will probably take months to arrive at a decision, cost both sides a lot of money in legal fees and create a split within the community that could take years to heal”.

After the mayor had read about the press conference in the paper the next morning, he called his friend, the former chamber president, to get more information about how he could submit the conflict for mediation. After their discussion, the mayor called the head of the firm that had been planning to build the new manufacturing plant in his city. After a rather lengthy conversation, they agreed to contact a well-known mediating service to set up a meeting.

Observer’s Mediation Guide

1. In general, how well prepared do the two parties appear to be at the start of the mediation, i.e. appear to be willing to engage in mediation, seem to understand the mediation process, and appear to trust the mediator. What does this say about the preceding preparation meeting?

   ____

   ____

2. What is your appraisal of the mediator’s performance in getting the mediation underway as outlined in *Stage One: Opening the Mediation?*

   ____

   ____

3. During *Stage Two: Defining the Issues*, how effective was the mediator in modeling the behaviours to be exhibited by the parties, i.e. active listening, good questions, summarizing the points made by the parties, highlighting areas of agreement?

   ____

   ____

4. How well did the mediator help participants understand each other’s perspectives on the issue during *Stage Three: Finding Solutions* by helping the parties to clarify their assumptions and to generate solution options?

   ____

   ____

5. How effective was the mediator in *Stage Four: Closing the Mediation* in helping to test the solution agreed upon and getting assurances that the parties were prepared to fulfill their obligations to one another under the agreement?

   ____

   ____

TOOL 14: IMAGES OF DIALOGUE

This could be a good exercise for closing your workshop. The process we have outlined in the following instructions is patterned after one outlined in a recent book on the practice of dialogue. (See the endnote for more details on the book). A variation of the exercise was used at the completion of a regional workshop held in Romania where these materials were field-tested. In the field test, each participant was given a plain sheet of paper and access to lots of coloured marking pens and asked to draw his or herself in the midst of conflict. After having expressed these perceptions in an artistic format, each person was instructed to pass the drawing to others so they could add to the picture. While these participants were asked to work in small groups of 6-8, your workshop participants, if you decide to do something like this, might want to interact with others in different groups. In this exercise and others it is useful to keep your options open.

At the completion of these group endeavors, the pictures were placed on the floor to create a group mosaic. Each individual talked about their picture and what she or he thought it meant, particularly with the additions by their colleagues.

This is obviously a tool that can be altered to fit the interests and inclinations of the trainers and participants. Don't hesitate to experiment with it as a way to help participants draw subconsciously on their experiences in the workshop and with conflict generally. Tool 15, which follows this one, is also about the process of creating dialogues. You might want to explore it as well before you make your decision about how to introduce your workshop participants to this important conflict management tool.

Now, here is the original design for your consideration.

Learning objective
To increase knowledge and skill in initiating a productive dialogue.

Time required
30 minutes

Required resources
- A plain sheet of sturdy paper for each participant. This should be about double an A-4 or at least 18 x 24 inches
- Lots of watercolours, coloured markers, water soluble paints, crayons, whatever you can dredge up to make this a "colourful experience"
- Given your selection of creative tools, you might need paint brushes, cups of water, etc
- A timer or watch with a second hand, and
- A bell of some kind. This could be as simple as a glass and a spoon borrowed from the kitchen of the training venue.

Process
1. If you are working with a group that is experiencing conflict or confronted with a problem that has lingered on for weeks and months, use that issue as the focus of this exercise. As an alternative, have the group select a conflicting issue they are currently experiencing. Using an issue with which they are familiar will help the group gain new insights and perceptions about dealing with it.

2. Provide each participant with a piece of sturdy paper and the essential artistic tools described above. Have participants sit at tables large enough for six to eight persons to work comfortably, create multiple groups if necessary. Write the topic the group has decided to work with on a flip chart and, with participants seated, explain the process.

3. The facilitators start the process by having each participant sit quietly and experience a minute or two of silence, a chance to focus in on the issue so it begins to take shape in his or her conscious and subconscious mindset.

4. After a minute or two, the facilitator rings the bell starting the first of a series of one-minute rounds. During each round, each person is to transfer *an image* of the issue on to the paper provided.

5. After one minute, the facilitator rings the bell, and each person passes the paper on which they have just expressed their image of the issue to the person on their right.

6. As each person receives a new set of images, they are told to think to themselves, "what can be added to further express the issue?" and then add their new image to the paper. The one-minute cycle is continued until each person around the table has the piece of paper they started with.

7. At this point the facilitators asks the participants to share their papers at their tables, post them on a wall for discussion, or initiate whatever approach to group dialogue seems right at the time. The facilitator encourages each group to explore the symbolic information they have created to understand the issue more deeply.

8. The facilitator might provide some questions and statements like the following to help the groups process the information and ideas that have been created through this exercise.
   - What do you see?
   - Let the images speak to you.
   - Have common themes and ideas emerged from the collective artistic creations?
   - Are there some obvious differences? If so, what do you think they mean?
   - Listen to the creations and listen to each other.
   - Suspend your judgements.

[This exercise has been adapted from a work application included in a book called: *Dialogue: Rediscover the Transforming Power of Conversation*, by Linda Ellinor and Glenna Gerard. It's a 1998 John Wiley and Sons publication and the "work application" we refer to is on pages 130-2. If you want to learn more about the process of dialogue, we heartily recommend this book.]

TOOL 15: LEARNING THE FINE ART OF DIALOGUE

Learning objective
To increase understanding and skill in using the defining qualities of dialogue.

Time required
90-120 minutes

Required resources
1. *A talking stick*. The talking stick is an idea inherited from the Native American community. In council meetings it would be passed from one leader to another to signify who had the floor or a recognized opportunity to speak. It was a symbol of respect, focusing attention on the person with the talking stick. Most importantly, it prevented cross talk and slowed the pace of conversation.

2. *An assessment questionnaire*. The assessment questionnaire is designed to provide feedback on the skills that promote effective dialogue. A copy of a suggested questionnaire is included in this discussion along with notes for leading a guided discussion prior to the dialogue exercise.

Process
1. Initiate this learning experience with a guided discussion about the skills and behaviours involved in conducting a dialogue. See trainer's notes that follow the description of this suggested training process.

2. Divide the participants into small groups of eight to ten participants and ask two to take the role of observers. Brief them on their roles:

   - Those who will be participating in the dialogue select a topic they believe would be represented by polar views within the group. For example, same-gender marriages, politics, or a currently contentious issue within their community, country or region. Suggest they use the "talking stick" to help in managing the dialogue process. Remind them that this is not a facilitated discussion.

- The observers are to observe the dialogue and be prepared to discuss with the group their impressions of the dialogue, being very specific about whether or not the group members have followed the suggested guidelines outlined during the guided discussion.

3. Ask each group to find a quiet place and to hold a dialogue about the topic they have chosen. They should take about 60 minutes.

4. At the end of the dialogue, the observers will ask them to complete a short questionnaire about the dialogue experience and upon completion conduct a short debriefing discussion. The observers would also report their own perceptions of the quality of the dialogue at this time.

5. After about 15 minutes of sub-group discussions, ask the full group to reconvene for a final discussion about what they have learned. Complete the exercise by asking participants how they might use this approach to help those in conflict better understand their differences.

Trainer's note: The concepts and strategies associated with the process of dialogue are important opportunities for mitigating long-standing conflicts within communities and societies. Given the potential role for initiating authentic dialogues at the community level, we would feel remiss not to offer at least one learning application that provides an opportunity to help others increase their dialoguing skills.

While there is no clear definition of dialogue, the following ideas should help bring some clarity to the process and how it unfolds. Linda Ellinor and Glenna Gerard, in their insightful book, *Dialogue*, offer some useful points for discussion.[2] They make a distinction between *dialogue* and *discussion*, thinking about them as part of a continuum.

Dialogue is about gathering and unfolding meaning that comes from many parts, while discussion is about breaking the whole down into many parts. The conversation tends toward the dialogic end of the continuum when the underlying dynamic is to learn and expand what is known about something or to generate new perspectives from the views of many. Conversely, when the dynamic is about finding one solution or the best alternative among many, it tends toward the discussion end.

Here are some distinctions Ellinor and Gerard make between *dialogue* and *discussion/debate*. Notice that they also include debate on the discussion end of the continuum.

Dialogue

- Seeing the *whole* among the parts
- Seeing the *connections* between the parts
- *Inquiring* into assumptions
- Learning through inquiry and disclosure
- Creating *shared* meaning among many.

Discussion/Debate

- Breaking issues/problems into *parts*
- Seeing *distinctions* between the parts
- *Justifying/defending* assumptions
- *Persuading, selling, telling*
- Gaining agreement on *one* meaning

When there is no push for a conclusion or a solution, participants usually find it safer to offer different viewpoints without the need to justify the "rightness" of their statement. The intent in dialogue is to learn from each other and to build *shared meaning* that includes all perspectives.

There seems to be general agreement among those who promote the use of dialogue about some of the essential qualities that define the process. They include:

- *Suspending judgement*. This is perhaps the most difficult skill. It's not stopping judgements from occurring, but rather to develop the ability to observe judgements, your own as well as those of others, from a neutral position while remaining undetached and un-reactive.

[2] Ellinor, Linda and Gleena Gerard, ***Dialogue: Rediscover the Transforming Power of Conversation***. (New York, John Wiley and Sons, 1998), pp. 20-1.

- *Removing from expectations the need for specific outcomes*. Dialogue is not problem solving. It is the process of shared problem finding. Is it not unrealistic to expect that shared meaning and understanding will lead to problem solving.

- *Exploring the underlying assumptions in a spirit of curious inquiry*. “Assumptions are the rationale behind the snap evaluations we make when we judge”.[3] “That was a good idea, or a rotten one, because - (assumption)”. We make decisions and take actions all the time based on judgements that are grounded in one or more assumptions. These are the building blocks we accumulate over a lifetime in order to make sense of the world we live in. By exploring these foundation stones, “in a spirit of curious inquiry”, we are able to modify and even change them to arrive at different judgements that we then turn into decisions and actions. In other words, the assumptions we make are those things we think we know-until we discover otherwise. Dialogue is one of the most effective tools we have for discovering otherwise.

- *Being authentic*. In other words, express what you feel or believe and be prepared to own it.

- *Slowing the pace and creating voids between those who speak so the meaning of their words can soak into our collective thinking*.

- *Listening deeply to what others, and we are saying*. Most of us have been introduced to the ideas and skills of active listening. It’s probably important to re-introduce them at this time.

You are also encouraged to re-visit the discussion of dialogue that takes place in Chapter 4 of the *Reader*.

[3] *Ibid*. p.78

Observer’s guide for dialogue

The following tasks are designed to help you process the dialogue you have been asked to observe and provide your insights about when it has been completed. Be as specific as possible about those behaviours you have observed and the things you have heard during the dialogue.

Rate the following statements on a scale of 1 to 5 regarding the overall effectiveness of the group in fulfilling the following criteria in relation to the dialogue conversation they were having. One (1) = *not at all effective*; three (3) = *somewhat effective*; and five (5) = *very effective*.

1. The ability of group members to suspend making judgements.
   Not at all effective 1 2 3 4 5 Very effective

2. Their ability to stay with the process of problem *finding*, rather than pursue problem *solutions*.
   Not at all effective 1 2 3 4 5 Very effective

3. Their ability to explore underlying assumptions as a part of the dialogue process.
   Not at all effective 1 2 3 4 5 Very effective

4. The ability of individuals to be authentic, stating what they believe and how they feel, in their conversations with others.
   Not at all effective 1 2 3 4 5 Very effective

5. Slowing the pace of their conversations and allowing time for reflection.
   Not at all effective 1 2 3 4 5 Very effective

6. Speaking one person at a time.
   Not at all effective 1 2 3 4 5 Very effective

7. Demonstrating their ability to listen deeply to what others are saying.
   Not at all effective 1 2 3 4 5 Very effective

8. Learning through inquiry and disclosure.
   Not at all effective 1 2 3 4 5 Very effective

If you have assessed any of these expressed qualities of dialogue at three (3) or less, jot down in the space below the question why you rated it thusly. Be specific about incidents that lead you to make such an assessment.

Determine who in the group was most effective in using one or more of these personal attributes to assure that the dialogue was successful. Feel free to recognize more than one person for their positive contributions to the dialogue.

TOOL 16: PLANNING FOR LEARNING APPLICATION

The purpose of most learning situations is to provide participants with an opportunity to change and improve what they do at work or in their personal lives. So, it seems reasonable to conclude that the value of a learning experience is not fully realized until a sincere effort is made by participants in the experience to make good use of what they have learned. Logical as this seems, there are many factors that interfere with the application of new knowledge and skill. Sometimes the interference is external as when a supervisor or colleague ignores your improvement efforts or ridicules you for experimenting with new ideas. At other times the interference is internal. Your intentions are good; but old habits are strong. It may take more time, patience and self-confidence to develop new habits or put new knowledge and skill to work than you are willing to give to the effort.

One of the best methods available for encouraging learning transfer is a plan. The probability that you do something with new knowledge and skill is significantly improved if you have given some thought ahead of time about what you have learned and the barriers you might encounter when you reunite with your work colleagues.

Take some time now to complete the following worksheet as an important step in preparing a conflict management learning application plan for yourself.

1. Based on what I have learned about managing conflict and differences, here are two or three specific things I plan to do in conflict situations to make a positive contribution.

   ____

   ____

2. I would like the following persons to support me in these endeavors and I plan to get their support in the following ways.

   ____

   ____

3. If I encounter resistance to using my new knowledge and skills in conflict management, I plan to address it in the following ways.

   ____

   ____

4. Here’s what I plan to do to assess the success of my conflict management implementation strategy.

   ____

   ____