

THE DYNAMICS

of CONFLICT



A
GUIDE TO
ENGAGEMENT
AND
INTERVENTION

Second
Edition

BERNARD MAYER

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Praise for the First Edition

“Drawing on his wide-ranging experience as one of the founders and leaders of our field, Mayer has given us a brilliant mosaic of conflict, its management, and resolution. This book is must reading for anyone who thinks deeply about the nature and origins of conflict and believes that a deeper appreciation for its complexity will enable us to transform our culture.”

—*Daniel Bowling, executive director, Society of Professionals in Dispute Resolution*

“Bernie Mayer is a natural teacher. His conceptual framework of conflict and resolution will challenge the most experienced professional to evaluate their own understandings. This is a must-read for both beginning and experienced professionals.”

—*Arnold Shienvold, president, Academy of Family Mediators*

“This is a great book. Mayer has delivered our field a gift—a reflective practitioner’s handbook, complete with theoretical understandings and practical suggestions. Rooted in his marvelous intuition, shaped and authenticated from years of experience, and presented in a straightforward style true to his mediator and educator vocations, *The Dynamics of Conflict Resolution* should be on every conflict resolver’s and trainer’s bookshelf.”

—*John Paul Lederach, author, Journey to Reconciliation and Preparing for Peace*

“This book is high on my ‘required reading’ list! An outstanding contribution to the literature in the field.”

—*Katherine Hale, professor and chair, Conflict Resolution Program, Antioch University*

As an additional resource for this edition, suggested further readings on topics relevant to each chapter can be found at www.wiley.com/college/mayer. A sample syllabus based on the material in this book and an accompanying PowerPoint presentation are also posted there.

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A Guide to Engagement
and Intervention

Second Edition

Bernard Mayer

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*In memory of Fritz and Carola Mayer For their courage, love,
and example*

Preface to the Second Edition

A Reflective Approach to Conflict

There is nothing so practical as a good theory.

Lewin, 1952, p. 169

Conflict intervention is a skill, a vocation, a profession, and a cause. We are all conflict participants and conflict interveners. We bring to this endeavor the totality of who we are—our life experience, our values, our natural talents and limitations, our personality, our training, and our professional background. How we handle conflict is central to how we handle life, whether or not we are conflict specialists, and so developing our capacity to deal with conflict is a lifelong challenge. As we seek to become more adept in conflict, we tend to focus on the central skills that conflict calls forth—for example, we want to increase our capacity to communicate, to negotiate, to use our power effectively, to respond to others' use of power, and to facilitate interactions among others. It's tempting to see these skills as residing in a series of techniques, a particular process, or a set of steps or stages. These are easy to learn, tangible, and often useful. But what makes us effective in how we engage in conflict is not a set of processes, methodologies, or tactics; it is a way of thinking, a set of values, an array of analytical and interpersonal skills, and a clear focus.

When I wrote the first edition of this book over ten years ago, I was convinced that being effective conflict specialists required us to develop practical ways of thinking about conflict and conflict intervention. I believed that it was

essential for us to identify and embrace those concepts that help us make sense of our experience, that connect our efforts to the lessons learned by other practitioners and researchers, and that help us find that elusive but critical connection between theory and practice. I had come to this conviction through my own experience as a mediator and teacher, primarily through my work with CDR Associates of Boulder, Colorado. As a practitioner, I knew that when I was in the middle of dealing with a conflict what I most needed was a set of clear and practical ideas about how to make sense of what was going on and what my intervention choices might be. As a teacher, I often noticed an interesting change that trainees experienced during the course of a class or workshop. Participants came eager to be taught how to “do” things—how to open a mediation, reframe a toxic comment, deal with a resistant party, or nail down an agreement. But by the end of the training what seemed to have had the biggest impact was their exposure to new ways of thinking about mediation, negotiation, conflict, and communication. When they came away with a set of ideas and perceptions that could guide their practice and help them integrate new skills and techniques into their approach to conflict, something significant had happened.

During the decade that has elapsed since the publication of the first edition, many things have changed for me. I now live primarily in Canada. I am a faculty member at the Werner Institute at Creighton University. I have written two books that seek to challenge some of the fundamental assumptions concerning the conflict field and move us toward a broader understanding of our role and mission. I continue to work as a mediator, facilitator, and consultant, but I am increasingly committed to developing approaches that take us beyond a third-party, resolution-oriented focus. What has not changed—what has in fact been reinforced—is my view that developing our conceptual skills is the key to

becoming effective practitioners. This new edition, therefore, continues to focus on the ways we can productively think about conflict and conflict intervention, rather than on specific techniques and processes. Of course, all of these concepts must be informed by our practical experiences and values. I believe that our most creative moments as practical theorists come when we attempt to integrate the explanations of conflict and conflict intervention to which we are attracted with observations about what we actually do in real-life situations. I have always cherished those moments as a teacher when I have discovered a disconnect between what I am teaching and how I actually practice. The exploration of these inconsistencies always helps me refine my thinking and therefore my practice.

This new edition reflects the developments of my own thinking and approach to conflict during the past decade. Most significantly, I have come to believe that “conflict resolution” is a limiting description for the work we do and the challenges we face. I have written about this extensively in *Beyond Neutrality: Confronting the Crisis in Conflict Resolution* (Mayer, 2004a) and *Staying with Conflict: A Strategic Approach to Ongoing Disputes* (Mayer, 2009b), and I have incorporated this belief throughout the preparation of this edition (including adding a chapter that summarizes the ideas contained in these books). There is a creative tension that is pervasive throughout our field between the predominant view of our role as conflict resolvers and a broader definition of our purpose as conflict interveners whose fundamental task is to help people engage effectively and constructively in conflict. Even the title of this book reflects this tension. I have retitled this edition *The Dynamics of Conflict: A Guide to Engagement and Intervention* (the 2000 edition was titled *The Dynamics of Conflict Resolution: A Practitioner’s Guide*) because I feel

that the new title better reflects my current thinking. Although resolution is an important aspect of conflict intervention, it is only one element of the challenge conflict interveners face—and that perspective has informed this new edition.

I have also become increasingly committed to the view that an interactional and systems perspective is essential to understanding conflict. Analyzing individual motivations, conflict styles, communication approaches, and cultural beliefs can be an important tool for making sense of conflict, but at times this is also a limiting and potentially misleading focus. We cocreate conflict experiences with those we are in conflict with. Our approach to communication, negotiation, power, and conflict not only is influenced by the other people involved but also is essentially a product of the system of interaction that develops among disputants and interveners. For example, although an individual's most essential needs may not change from one situation to another, how that person experiences, expresses, and prioritizes them does. Our efforts to understand conflict, therefore, have to go beyond an analytical approach—that is, we have to do more than look at the parts that make up the whole. We can't just focus on the individuals, their interests, the alternatives each faces, or their particular histories. We have to look at system dynamics and interactional patterns. I have tried to infuse this book with a perspective that takes into account how individuals experience conflict and how people cocreate their experiences in conflict. In doing so I have been committed to making this viewpoint practical and operational.

In preparing the first edition I wrote primarily from the perspective of a third party, and I directed the book specifically at those who worked as third parties—mediators, facilitators, and system designers, as well as teachers and students of conflict. I have come to view the

roles of allies and system interveners as essential to the work of conflict specialists, so in this edition, although I have retained a chapter on mediation, I am also addressing people who work as advocates, coaches, negotiators, and system interveners.

I am fortunate to have had the opportunity to work in a wide variety of settings and with many different kinds of conflict, and I have tried to use the range of these experiences to illustrate the concepts presented in this book. This does not mean that identical approaches should be taken to different types of conflict or that profound differences in the underlying structures of these conflicts do not exist. But I believe that if we discern a dynamic that is operative in, for example, both international conflict and family conflict, there is an important lesson to learn from the very breadth of that dynamic's relevance. The examples I use have therefore been drawn from my work with interpersonal, family, community, organizational, labor-management, environmental, public policy, and international disputes. I also discuss conflicts that have been in the news.

As I did with the first edition, I have included many case descriptions drawn from my experience as a conflict intervener, and sometimes as a disputant. Where these examples are a matter of public record, I have included identifying information. Where I felt it was essential to maintain confidentiality, I have withheld identifying information and changed some of the details to protect confidentiality. I have, however, maintained the key story line and interactional dynamics in each example.

Of course, the ideas in this book are not derived just from my own experience and observations. They are also influenced by the rich and broad tradition of conflict studies. This was certainly true of the first edition, and during my past several years at the Werner Institute at Creighton

University I have had an even greater opportunity to immerse myself in this world. Throughout this book I reference the work of many others who have influenced my thinking. And as an additional resource for this edition, suggested further readings on topics relevant to each chapter can be found at www.wiley.com/college/mayer. A sample syllabus based on the material in this book and an accompanying PowerPoint presentation are also posted there.

When I was first introduced to the conflict field I felt that two important strands of my life were suddenly brought together. My first professional work was in child welfare and mental health. I worked as a psychotherapist and administrator in residential treatment centers for children, mental health centers, and drug abuse treatment programs, and in private practice. But I also came of age during the 1960s and was very active in a variety of movements for peace and social justice. The war in Vietnam, the antinuclear movement, and the civil rights movement were major forces in my development. Work in the conflict field seemed to pull these different parts of my life together, the part that was interested in providing services to people in various stages of crisis and the part that was committed to social change.

The conflict field still has these twin thrusts, as a service to people who need assistance and as a force for social change, but we can readily lose sight of this in the business of building a respected field of practice. In its earlier days it was easier to think of conflict intervention as a social movement because much of our focus was on demonstrating its relevance and effectiveness, creating new applications, and promoting a common set of practice principles and procedures. Now that the field is more accepted and institutionalized, its foundational values can easily be overlooked or taken for granted. I do not believe

we can separate our actions, our theories, and our values. They are each essential to who we are and what we do. This book inevitably presents my particular integration of these elements. My commitment to helping people maintain control of their lives, especially when they are in crisis, and to creating more powerful and democratic ways of dealing with important questions of social justice and peace infuses the way I think about conflict and the way this book is written. It could not be otherwise.

But I have also tried to avoid being overly prescriptive about what conflict specialists should do or how we should think. I do not present the ideas in this book as *the* right conceptual frameworks but rather as ones that I have found useful and meaningful as I have worked as a conflict intervener and teacher. I hope that this will stimulate readers to deepen their own thinking or to put forward their own ideas—sometimes, perhaps, by way of disagreeing with mine.

I do not believe any of us can hold all these concepts in our head as we engage in the day-to-day, hour-to-hour work of helping those in conflict. But I hope that each of you will find at least some ideas in this book that resonate for you. Some of these ideas you may take with you into your practice. Some may help you reflect on the conflicts you deal with in your personal life. But no doubt some of these ideas will not resonate for you, in which case you will reject or more likely simply forget them. That is entirely as it should be. We each have to build our own theory of practice, and we do so by embracing and developing those ideas that speak to us and moving on from those that do not.

The ideas in this book are not presented as a unified theory of conflict, although they are meant to work together and to be internally consistent. I am suspicious of global theories that try to present a comprehensive understanding

of the human experience, because I think they too easily become straightjackets or dogmas. We are simply too complex for one set of theories or one governing philosophy. Instead I present these ideas as a set of conceptual tools that build on each other and contribute to a multifaceted view of conflict and conflict intervention, but that also stand on their own.

My journey through the world of conflict has been exciting, challenging, at times extremely difficult, but in the end hopeful. I believe we can make a difference in people's lives and in how our communities and organizations approach conflict, but to do so we have to be modest about exactly what we can do. The essential strength and paradox of what we have to offer as conflict interveners is that we have the power to make a significant difference because we do not try to make things significantly different. From whatever perspective we take, our fundamental offer is to help guide people through a process that will essentially remain theirs.

The lessons I have learned from my years of practice and reflection have helped me embrace this opportunity and this paradox. But as I wrote ten years ago, what is in this book is only a snapshot of a particular time in an ongoing process of discovery that I am on and that we all are on. I hope that by sharing this snapshot with you, your journey will be enriched as mine has been.

Audience

I have written this book specifically for people involved in conflict intervention as a field of practice—including mediators, advocates, facilitators, coaches, human resource professionals, labor relations specialists, lawyers, organizational consultants, trainers, researchers, public involvement specialists, community organizers, diplomats, family therapists, and professional negotiators. But I have

also tried to create a book that is accessible to others interested in conflict. I do not assume a broad familiarity with conflict literature or practice, and in setting the context for developing an expanded conceptual framework I take the time to describe some fairly basic principles. I try to focus on concepts that apply generically across different arenas of conflict. Although this book is specifically addressed to conflict interveners, I assume throughout that we are all participants in conflict as well. Therefore, when discussing how people engage in conflict, I am considering how all of us, not just our clients, handle the conflicts in our lives.

Overview of the Contents

As with the first edition, this book is divided into two parts—the first, Chapters One through Four, focuses on the nature of conflict. In the second part, Chapters Five through Eleven focus on conflict engagement and intervention, and Chapter Twelve, a reflection on what motivates us as conflict specialists, serves as an epilogue. Chapter One describes the nature of conflict—in particular, the different dimensions along which conflict occurs, the sources of conflict, what motivates our participation in conflict, and the interaction between conflict as a means of expression and conflict as an attempt to achieve a particular outcome. Chapter Two focuses on our beliefs about conflict, how we engage in or avoid conflict, and the different ways we try to meet our needs in conflict. I also present a set of variables that can be used to understand the differences in how individuals approach conflict. Chapter Three discusses power—the beliefs we have about power, the types of power we bring to bear in conflict, the sources of our power, and the different ways in which power is applied in conflict. I discuss the relationship between an integrative and distributive

approach to power and the nature and role of escalation in the conflict process. I conclude with a discussion of conflict and social justice. Chapter Four considers the role of culture in conflict—and in particular, the continuities and differences in how conflict is approached in different cultural contexts. I discuss culture as a dynamic and multifaceted process rather than a static set of behaviors and beliefs. Instead of focusing solely on the obstacles cultural differences present, I address how people from different backgrounds transcend cultural differences when engaging in conflict.

Chapter Five considers the nature of resolution and what constitutes a genuine resolution of conflict. In this chapter I present a model of the dimensions of resolution and examine a key challenge that conflict resolvers face—how to find the right level of depth at which to pursue the resolution of conflict. I also consider why conflict interveners tend to focus on outcomes and when these ought to be our primary focus. Chapter Six is an entirely new chapter that summarizes the ideas developed in *Beyond Neutrality* and *Staying with Conflict*. I look at how we can help people who are engaged in long-term conflicts that are not likely to end, the range of roles we can play as interveners, and the tension that exists between what we offer to disputants and what is at the heart of what they want. I also present the different “faces” of conflict that we might work on. Chapter Seven examines the heart of conflict intervention and human interaction—communication. I consider the essential challenges we face when communicating in the midst of conflict, and I discuss what constitutes effective communication, including listening, speaking with power, and framing conflicts in constructive yet poignant ways. I also consider how communication tools can be used to help people change the fundamental way they understand a conflict.

Chapter Eight focuses on negotiation, which I see as an activity that we engage in virtually every day. I describe the contradictory pulls that most negotiators face and in particular the “negotiator’s dilemma” that lies at the heart of all difficult negotiations. I also outline the strategic choices we face as negotiators and discuss the implications of how we handle these choices. Chapter Nine considers the nature of impasse in conflict and presents a way of understanding impasse as a necessary and often constructive aspect of healthy approaches to conflict. Chapter Ten focuses on mediation. I discuss the essence of what mediators bring to the table that helps alter the nature of a conflict interaction and what mediators actually do to affect the course of a conflict. I also look at some of the major differences of opinion within the mediation community concerning purpose and process.

Chapter Eleven presents a continuum of approaches to conflict intervention and considers what each element on that continuum offers. In particular, I discuss prevention, procedural assistance, substantive assistance, reconciliation, decision making, and design and linkage procedures. Chapter Twelve looks at the value base of conflict intervention. I discuss these values in terms of how conflict is handled; how conflict intervention efforts fit into more general values concerning peace, democracy, and social justice; and the personal impact that working on conflict has on conflict specialists.

Acknowledgments

I am fortunate to have worked with incredibly dedicated, wise, and creative associates for over thirty years, all of whom have helped me develop, test, and refine the concepts in this book. Two groups of colleagues deserve special mention. The faculty, staff, and students at the

Werner Institute at Creighton University, where I have been a faculty member since 2006, have provided both support and feedback as I have prepared this new edition; they have been wonderful friends and colleagues as well. I acknowledge in particular Arthur Pearlstein, Jackie Font-Guzman, Noam Ebner, Debora Gerardi, Ran Kuttner, Bryan Hanson, Mary Lee Brock, Anat Cabili, Palma Strand, Robert Witheridge, and Theresa Thurin for their kindness and support. CDR Associates, my professional home since 1980, is the other collegial group that has supported me throughout my career as a conflict specialist. My colleagues at CDR have been my teachers, my friends, and my home team. I particularly thank Mary Margaret Golten, Christopher Moore, Louise Smart, Susan Wildau, Peter Woodrow, Jonathan Bartsch, Paula Taylor, Joan Sabott, Julie McKay, Suzanne Ghais, Mike Harty, Mike Hughes, and Judy Mares-Dixon.

My most important teachers throughout the past thirty years have been the many people who have accepted me into their conflicts and allowed me the privilege of working with them. The very large group of people whom I have taught in one forum or another, and particularly the students who used the first edition as a textbook, have also been critical to the development of this new edition. Thanks to all of you.

Thanks also to those who reviewed drafts of this revised edition (and also thanks to everyone who provided comments on the first edition). In particular, Joan Sabott, Christopher Honeyman, John Paul Lederach, Bill Warters, Jonathan Bartsch, Jackie Font-Guzman, Samantha Ho, Andrew Venrick, Elizabeth Troyer-Miller, Richard McGuigan, Don Selcer, Edy Horwood, Mark Mayer, and Julie Macfarlane provided candid, poignant, and useful comments as I worked on this edition.

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Finally, I thank my family for their ongoing love and support and for continually reminding me of what is most important in life. Thanks to my children, stepchildren, and grandchildren—Hopey, Ellie, Mark, Sibyl, Ethan, Elona, and Henry. My most special thanks go to my wonderful wife and brilliant colleague, Julie Macfarlane. Julie understands my approach to conflict, sometimes better than I do, and helped me immensely with this revision through dialogue, editing, and loving support. Julie has also been a model of courage in facing life and conflict with love and wisdom.

This book is dedicated to the memory of my parents, Fritz and Carola Mayer. They were survivors of the worst conflict of the twentieth century, and they drew from this a commitment to social justice and peace. Their strength and courage in the face of adversity were always matched by their kindness, humor, and love. My commitment to conflict work derives in no small measure from my life with them.

Kingsville, Ontario

Bernie Mayer

January 2012

Part One

Conflict

Chapter One

The Nature of Conflict

Note: All of the examples from my own practice either are from public, nonconfidential forums or are heavily disguised to protect confidentiality.

We are of two minds about conflict. We say that conflict is natural, inevitable, necessary, and normal, and that the problem is not the existence of conflict but how we handle it. But we are also loath to admit when we are in the midst of conflict. Parents assure their children that the ferocious argument the parents are having is not a conflict, just a “discussion.” Organizations hire facilitators to guide them in strategic planning, goal setting, quality circles, team building, and all manner of training, but they shy away from asking for help with internal conflicts. Somehow, to say we are in conflict is to admit failure and to acknowledge the existence of a situation we consider hopeless.

This ambivalence about conflict is rooted in the same primary challenge conflict interveners face—coming to terms with the nature and function of conflict. How we view conflict affects our attitude toward it and our approach to dealing with it, and there are many ways of viewing it. For example, we may think of conflict as a feeling, a disagreement, a real or perceived incompatibility of interests, a product of inconsistent worldviews, or a set of behaviors. If we are to be effective in handling conflict, we must start with a way to make sense of it and to embrace both its complexity and its essence. We need tools that help us separate out the many complex interactions that make

up a conflict, that help us understand the roots of conflict, and that give us a reasonable handle on the forces that motivate the behavior and interaction of all participants, including ourselves.

Whether we are aware of them or not, we all enter conflict with assumptions about its nature. Sometimes these assumptions are helpful to us, but at other times they are blinders that limit our ability to understand what lies behind a conflict and what alternatives may exist for dealing with it. We need frameworks that expand our thinking, challenge our assumptions, and are practical and readily usable. As we develop our capacity to understand conflict in a deeper and more powerful way, we enhance our ability to handle it effectively and in accordance with our most important values about building peace. To simplify the task of handling complex conflicts, we need to complicate our thinking about conflict itself.

A framework for understanding conflict should be an organizing lens that brings a conflict into better focus. There are many different lenses we can use, and each of us will find some more amenable to our own way of thinking than others. Moreover, the lenses presented in this chapter are not equally applicable to all conflicts. Seldom would we apply all of them at the same time to the same situation. Nevertheless, together they provide a set of concepts that can help us understand the nature of conflict and the dynamics of how conflict unfolds.

How We Experience Conflict

Conflict emerges and is experienced along cognitive (perception), emotional (feeling), and behavioral (action) dimensions. We usually describe conflict primarily in behavioral terms, but this can oversimplify the nature of the experience. Taking a three-dimensional perspective can help

us understand the complexities of conflict and why a conflict sometimes seems to proceed in contradictory directions.

Conflict as Perception

As a set of perceptions, conflict is our belief or understanding that our own needs, interests, wants, or values are incompatible with someone else's. There are both objective and subjective elements to this dimension. If I want to develop a tract of land into a shopping center and you want to preserve it as open space, then there is an objective incompatibility in our goals. If I believe that the way you desire to guide our son's educational development is incompatible with my philosophy of parenting, there is a significant subjective component. If only one of us believes an incompatibility to exist, are we still in conflict? As a practical matter I find it useful to assume that a conflict exists if at least one person thinks that there is a conflict. If I believe that we have incompatible interests and proceed accordingly, I am engaging you in a conflict process whether you share this perception or not. The cognitive dimension is often expressed in the narrative structure that disputants use to describe or explain a conflict. If I put forward a story about an interaction that suggests that you are trying to undercut me or deny me what is rightfully mine, I am both expressing and reinforcing my view about the existence and nature of a conflict. The narratives people use provide both a window into the cognitive dimension and a means of working on the cognitive element of conflict.

Conflict as Feeling

Conflict is also experienced as an emotional reaction to a situation or interaction. We often describe conflict in terms of how we are feeling—angry, upset, scared, hurt, bitter, hopeless, determined, or even excited. Sometimes a conflict

does not manifest itself behaviorally but nevertheless generates considerable emotional intensity. As a mediator, I have sometimes seen people behave as if they were in bitter disagreement over profound issues, yet been unable to ascertain exactly where they disagreed. Nonetheless, they were in conflict because they felt they were. As with the cognitive dimension, conflict on the emotional dimension is not always experienced in an equal or analogous way by different parties. Often a conflict exists because one person feels upset, angry, or in some other way in emotional conflict with another, even though those feelings are not reciprocated by or even known to the other person. The behavioral component may be minimal, but the conflict is still very real to the person experiencing the feelings.

Conflict as Action

Conflict is also understood and experienced as the actions that people take to express their feelings, articulate their perceptions, and get their needs met, particularly when doing so has the potential for interfering with others' needs. Conflict behavior may involve a direct attempt to make something happen at someone else's expense. It may be an exercise of power. It may be violent. It may be destructive. Conversely, this behavior may be conciliatory, constructive, and friendly. Whatever its tone, the purpose of conflict behavior is either to express the conflict or to get one's needs met. Here, too, there is a question about when a conflict "really" exists. If you write letters to the editor, sign petitions, and consult lawyers to stop my shopping center and I don't even know you exist, are we in conflict? Can you be in conflict with me if I am not in conflict with you? Theory aside, I think the practical answer to both of these questions is yes.