

UC San Diego

Conflict Case Studies

Title

Case Study #2: Intrapersonal Approaches to Conflict: Cognitive & Perceptual Biases

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Author

Erbe, Nancy

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CIAS WORKING PAPER
Cover Sheet

Readers are encouraged to send comments and critiques directly to the author. Because of this text's deliberate "one -of-a-kind" format, detailed page -by-page comments and questions are welcome.

This paper presents Case Study #2, in a series of case studies for a future conflict resolution textbook. It has been successfully piloted with several international classes. An "Introduction to Conflict Case Studies" is available to guide use. Those, who have benefited most from the text, stress the importance of carefully studying the introduction first. Because the case study format is intentionally unique, written in an interactive and non-linear workbook style, unlike many introductions, the information provided is required for understanding the case studies. In fact, the introduction is so critical to effective use, the most important paragraphs are repeated at the beginning of each case study. Confused readers are encouraged to read the "Introduction to Conflict Case Studies" in its entirety.

Readers report rich reward when they approach the case studies in the interactive workbook style recommended, and, for example, take time to reflect on questions; add their own opinions and interpretations. They also do the activities, applying conflict research, theory and approaches presented, to case study and personal experience. Their main challenge is accepting that thorough analysis and practice can take a lifetime.

The author is particularly interested in comments that will help instructors and individual users around the world fully understand and effectively use the text's curriculum for important social change. For example, would you suggest an instructor's guide?

Please also let the author know what you appreciated most and would like to see "more of" in future texts. These case studies are part of a larger vision for evaluating and sharing effectiveness with leading non-violent peace and conflict resolution efforts. The author would appreciate hearing your "success stories" and the most troubling challenges (including ethical and cultural) that you face. Thank you and best wishes.

Author: Nancy D. Erbe, J.D.

Director, Rotary Center for International Studies in Peace and Conflict Resolution (www.rotary.org)
Lecturer in Conflict Resolution, Peace and Conflict Studies
International and Area Studies
University of California, Berkeley
Berkeley, California 94720
Tel: 510-642-4679
Fax: 510-642-9850
nerbe@socrates.berkeley.edu

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(Applied ethics & diverse cultural perspectives for advanced conflict resolution)

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“Introduction to Case Studies”: Excerpts

A teaching case is a story, describing or based on actual events and circumstances, that is told with a definite teaching purpose in mind and that rewards careful study and analysis...

In the real world, the solutions to complex problems cannot be found in textbooks, nor will everyone agree on the “right answers” to difficult questions. The case method prepares learners for a world that demands critical thinking skills and the ability to create convincing arguments, often with little time and incomplete information.

Laurence E. Lynn Jr. *Teaching & Learning With Cases* (1999).

Readers may feel somewhat disoriented, confused, and, even a little anxious, when they first read case studies, especially if they are accustomed to texts that present information in a linear logic. In the latter, points are described step-by-step and connected with explanations.

Here, however, each case study deliberately goes back and forth between describing 1) important case study facts, 2) conflict and resolution theory, 3) ethical perspective, 4) cultural views, 5) questions for the reader, and 6) application --- opportunities for reader analysis. No explanation is provided; so readers are likely to miss valuable learning unless they carefully read and respect the interactive suggestions. The reader is expected to develop her or his own thinking by, for example, actively asking: What is the possible connection or relevance of this information? What do I think? What are my reasons? What options exist there? What criteria do I propose for evaluating alternatives?

(I)ntermediaries can learn from experiences in dealing with past conflicts, but there is no model that can be applied to all cases. The unique features of each must be examined carefully and adjustments in strategy made throughout the process, which is invariably complex and sensitive.

Olara A. Otunnu & Michael W. Doyle, *Peacemaking and Peacekeeping for the New Century* (1998).

Note: Readers, desiring a simple introduction to interested-based negotiation, mediation and other popular conflict resolution, before or while reviewing these case studies, are encouraged to read some of the books referenced here.

WHAT TO DO WITH MISSING OR VAGUE INFORMATION

Case studies are often open-ended, or incomplete, to emulate real life ambiguity and complexity, and help users develop critical thinking and confidence required in the face of challenge and uncertainty --- particularly these cases. These are concept, principle and process application cases, rather than decision-forcing, policy making or illustrative cases. For readers new to case studies, decision-forcing cases require actual decision, with simulated pressure. Lynn, *supra*. Policy making cases direct the creation of framework or processes for policy making. Illustrative cases record historical success and failure. Application cases, however, focus on increasing student skill, without necessarily requiring decision. Decision-forcing, policy making and illustrative cases necessarily contain more descriptive and substantive detail than application cases. Id.

These cases are deliberately even more open-ended than many application cases, with sparse facts, for several reasons. First, they intend to teach and guide advanced conflict resolution skills, including the ability to identify important information gaps and "fill them" through, for example, framing excellent questions and acute observation. In real circumstances, particularly complex ones, conflict intervenors, like detectives, face many unknowns. They must be willing and have the courage to navigate uncharted waters. Oftentimes only seasoned judgment (their own and that of respected colleagues) is available for determining whether understanding is sufficient.

I wanted more specifics about the original conflict to begin with, but I also understand that some of that ambiguity is simply how one has to enter conflicts scenarios. We will probably never hold all the pieces of information when we start. Discovery is part of the process. This is definitely a powerful process. (Anonymous student)

Second, responses to complex ethical and cultural dilemmas are dynamic and evolving; not solutions to be described or finalized, with simple logic or reference to expert authority. As one student commented, these are the questions with "no answers." They require extended, perhaps life-long, reflection and dialogue, and, most importantly, consciousness of real world consequences, after attempted practice. Readers should feel no pressure to reach conclusions or provide answers. Questioning, reflection, discussion and awareness are the desired results.

(P) Peacemaking is marked by experimentation. There is no right way to go about creating peaceful communities and a peaceful world. Working for peace will differ according to context.

Herr & Herr, *Transforming Violence: Linking Local and Global Peacemaking* (1998).

With cultural issues, majority and minority are used to avoid the stereotyping that unfortunately still too often accompanies specific labels. The open-ended cases allow readers to introduce, discuss and show their own cultural experiences and preferences with each other. With my students, this has been a much appreciated opportunity to create multicultural community and interdisciplinary dialogue, in relatively low-risk environments (at least in contrast to discussions in the heat of conflict.)

In my last multicultural conflict resolution class at the University of California, Berkeley, more than eighty percent of my students identified with one or more minority groups within and outside the United States. Several have dual citizenship. They include citizens of Argentina, Australia, Belize, Bulgaria, China, Costa Rica, Cyprus, Finland, French Polynesia, India, Iran, Mexico, Nigeria, Pakistan, Peru, Romania, Thailand, Turkey, and more than forty additional countries.

Everyone attempts to identify, describe and explain their own cultural experience, assumptions, values and preferences as they participate in conflict resolution process. Ideally, the result is truly inclusive. At least, participants are empowered.

The ideal response is like this one elicited with a Hmong student. One of the case studies resonated with her experience in the United States as a first generation immigrant and the first member of her family to feel comfortable speaking English. As a result, she spoke in great detail about her family's many cultural challenges and conflicts.

Readers are invited to reference and consider their own life experience with conflict whenever analyzing and discussing case studies. This engagement raises readers to the level of “peer partners” or “experts” with cases, and prepares them for whole-hearted participation in future role-play simulations.

The text is written so that no particular background or training is required or has an advantage. This is important with multicultural dialogue, where members of various cultural groups may be sensitive to others “speaking for them.” Others may simply stay quiet in the presence of authority. Still others might react with offense, angry accusation and heated debate. None of these responses promote the open, reflective and inclusive dialogue and learning desired here.

Once again, the purposes of this collaborative partnering are to fully engage readers in true-to-life dynamics and maximize development of advanced skill and awareness. Unlike simpler negotiation exercises, where participants can be given a factual, even mathematical, formula, for resolution, complex intergroup exercises require participant creativity, prolonged discussion, initiative and persistence. Developing necessary skills and attitudes may be the most realistic and important outcomes with complex, tough case studies.

These case studies have been field-tested with many different groups, ages eight to sixty, representing diverse groups within and outside the United States, and a wider range of interests, disciplines and professions, with varied experiences and perspectives. They include peace and conflict studies, social welfare, various sciences, public health and policy, psychology, pre-medicine, nursing, law, environmental and development studies, engineering, ethnic and area studies, education, communications, business and political science. The issues raised in these cases are relevant and meaningful to most, partially because the detail provided is only what is essential to introduce issues for exploration. More technical detail risks excluding less knowledgeable participants and narrowing the audience, while “cluttering” the ethical and cultural issues shared across the conflict resolution continuum.

Readers are free to adapt the cases to their own interests through integrating their knowledge and experience, or researching topics of interest. Some students have done interviews regarding culture, conflict and values. Others incorporate library and internet research.

Commentary is provided throughout the cases to help readers consider, apply and integrate relevant interdisciplinary approaches to and diverse perspectives regarding conflict resolution. An attempt is made to highlight and introduce some of the richest resources for advanced practice from a practitioner perspective. Commentary, questions and exercises are interwoven throughout the cases, rather than at the end, to further engage readers, simulate real world reflection and analysis, and guide readers in regular application of conflict theory, research and material—also a habit and practice of advanced intervenors, popularly called reflective practice.

Like the cases, commentary is provided without explicit guidance or explanation. Readers are encouraged to continue proactively developing their own questions and thinking as they would in real circumstances, imagining ways of connecting the commentary to case material. At the very least, articulating one or more questions, regarding how the material relates to the case study, will engage the reader in necessary critical thinking, initiative and information gathering. The more complex the case, the more important these skills become.

In some ways, conflict resolution cases are analogous to business administration cases. Unlike law or medical cases, business and conflict cases lack a well-defined professional knowledge base and formal logical processes for application.

Business case analysis may draw on virtually the entire body of knowledge of behavior and social science and may make use of it in virtually limitless variety of ways. Originally, cases were just about anything... faculty could find to provide a basis for provocative discussion... (T) here reasoning process is more experiential and associative, involving pattern recognition and intuition, than it is logical reasoning, as in the teaching of law, or scientific reasoning.

Lynn *supra* at 10-11 (citing Christensen with Hansen 1987, 25). ("In less institutionalized domains, such as administration, social work, planning and education, the question of what constitutes "essential knowledge" is far less clear; indeed, it may be difficult to rule out any but the most esoteric or specialized knowledge as relevant to practice. In such domains, "structuring" a well-defined body of knowledge is a less essential skill than identifying knowledge potentially relevant to resolving the problem at hand. *Id.*

SECTION II: DESTRUCTIVE DYNAMICS OF CONFLICT ESCALATION & RESPONSE

Case Study Topics (In Order Presented)

Ombuds

Impartiality

Good Faith Fact -finding

Approaches to Conflict & Resolution

Culture

Gender

Coordinated management of meaning (theory: examining assumptions)

Paraphrasing: meaning

"Root expectations" (cognitive biases)

Confrontation episodes (theory)

Identifying & Defining Conflict

Interest Analysis

Cognitive & Perceptual Practices Escalating (Increasing) Conflict

Denial

Projection

Minimizing/Magnifying

Simplistic Dichotomous Thinking

Blaming

Rationalizing

Identity Theory

Case Study #2: Intrapersonal Approaches to Conflict: Cognitive & Perceptual Biases

Background You receive a call from the ombuds at the local headquarters of a multinational corporation. He asks you to talk with a disgruntled employee (hereinafter “complaining employee”). This ombuds normally addresses employee complaints himself, but the last time he attempted to do so, his neutrality was challenged. He reports to the corporate legal department and is consulting with you to ensure neutrality.

APPLICATION

- **Many organizations offer their own conflict resolution services, with known and trusted “insiders” acting as ombuds (and mediators.) Imagine yourself in conflict with a university or other organization. What are your concerns if asked to work with an “insider”---organizational employee?**
- **Propose ideas for addressing these concerns; include parameters or criteria for assessing appropriateness of “insider” intervention.**

Background Privately, you are thrilled that a major corporation, with substantial resources, is requesting your services. You started your business a few years ago and still worry about paying monthly bills. It’s refreshing to hear from a client who can afford to pay full market rates for services. You hope this begins a long-term relationship and source of business.

The complaining employee gives you a letter detailing his complaints. He is “seriously considering” suing but would rather “work out something mutually beneficial” since he is a new employee and prefers to remain employed on good terms.

CONFLICT PROCESS: OMBUDS

The position of ombuds... was originally created in Sweden in 1809. The Swedish Parliament appointed an ombudsman to resolve difficult problems in the absence of the country’s abducted king. Ombud... means the people’s representative, agent... The United Nations views ombudsing as an important tool to help and protect international human rights and, as a result, many ombuds offices have been established in the governments of third world countries. In the United States and Canada, ombuds agencies have been created to assist citizens, consumers, and employees who wish to address concerns about administrative actions or lack of action. The ombuds function is utilized in state and local governments, nursing homes, the media, colleges and universities, industry, prisons, and, most recently, agencies of the federal government.

University and College Ombuds, *A Brief History of Ombudsing*, at <http://www.colorado.edu/Ombuds/UCOA/history.html>.

Note: Ombudsing is the collaborative or democratic approach to conflict resolution highlighted here for two reasons. It encompasses other popular approaches, including neutral fact-finding investigation, interest-based (“win-win”) negotiation, facilitated dialogue, and mediation. Second, and most importantly, its investigatory role raises key ethical dilemmas and models the ethical assessment required to determine whether mediation and other face-to-face dialogue is appropriate.

In Sweden, the ombuds is appointed directly by Parliament, is independent of any organization's supervision, and has the ability itself to prosecute abuses. In the rest of the world, it usually is more of a mediator, and is often appointed by the organization about which it hears complaints, giving the office less authority and independence.

Thank to David Leonard, Dean of International and Area Studies, University of California, Berkeley.

Ethical Perspective

An ombudsman should be guided by the following principles: objectivity, independence, accessibility, confidentiality and justice; justice is pre-eminent.

An ombudsman should hear and investigate complaints objectively. Objectivity includes impartial attention to all available perspectives on an issue and may or may not entail support of any particular perspective.

University and College Ombuds, *Ethical Principles For University and College Ombuds supra.*

Note: The above language regarding impartiality is similar to that in codes of ethics used by corporate ombuds and external neutrals.

APPLICATION

- **Discuss the concerns regarding impartiality mentioned above. Would you be comfortable if a corporate employee investigated your complaints about the corporation?**
- **Can you see any possible benefits to "insider" investigation?**
- **Are you reassured by the hiring of the outside contractor? Discuss ethical issues.**
- **Who would you want to investigate your complaints? Who would the corporation likely want? Can you imagine any possible agreement that would allow investigation?**

If your answer to the above question is no, brainstorm your options, along with their costs, risks and benefits.

Agreement to Conduct Neutral Fact -Finding Investigation The corporate president (through her legal department) and the complaining employee agree to the conditions you believe are necessary to conduct a good faith investigation.

APPLICATION

- **What conditions would you require to trust the investigation enough to proceed, if you were the complaining employee?**

Possible Good Faith Conditions (Agreed To By All Concerned)

All interviewed during this investigation will

***Describe their experience (perceptions, conclusions....) honestly;**

***Make an sincere effort to consider others' interests and needs as well as their own;**

➤ *

➤ *

Interview #1 The complaints involve the behavior of two corporate security officers after a recent employee picnic. You begin interviews with the officers' immediate supervisor (hereinafter "supervisor"). She presents you with all records from her investigation. Based on her findings and the officers' employment history, one officer was terminated; the other reprimanded. The supervisor says she is willing to assist you in any way and introduces you to four staff present during various parts of the events in question. Five staff were present that day but one has quit, allegedly due to fear from these events.

Interview #2 You meet with the manager present that day (hereinafter "manager"). He arrived after the city police were recalled. The complaining employee waited in the manager's office for the police. The manager describes the complaining employee as visibly upset, saying "he broke down sobbing."

Questions: Exploring Different Approaches to Conflict

- **What are your "assumptions" regarding public sobbing, i.e., what does public sobbing mean to you?**
- **Does gender (i.e., the fact that the complaining employee is male) affect your interpretation?**
- **Are you aware of other possible interpretations? If not, how could you investigate?**
- **What, in your opinion and experience, is the appropriate or sensitive response to public sobbing? With men? Women? The "most" effective response for facilitating constructive conflict resolution?**

Cultural Exploration

One key to social competence is how... people express their own feelings. Paul Ekman uses the term *display rules* for social consensus about which feelings can be properly shown when. Cultures sometimes vary tremendously in this regard. For example, Ekman and colleagues in Japan studied the facial reactions of students to a film... When the Japanese students watched the film with an authority figure present, their faces showed only the lightest hints of reaction. But when they thought they were alone (though they were being taped by a secret camera) their faces twisted into vivid mixes of anguished distress, dread and disgust.

Daniel Goleman, Emotional Intelligence (1994).

APPLICATION: DEVELOPING SELF-AWARENESS & EFFECTIVENESS

- Do you find yourself “naturally” respecting certain styles of communication, emotional response and public behavior more than others? Describe what you respect most.
- Identify and describe one or more styles that challenge you. Attempt to explain our reasons.

Conflict Theory

Diverse World Views

Coordinated management of meaning theory examines the implicit (unspoken) rule that individuals use and assume when conversing with each other. W. Barnett Pearce, *Coordinated management of meaning: A rules-based theory of interpersonal communication*, Explorations In Interpersonal Communication (Gerald R. Miller ed., 1976). Each individual brings unique experience and expectations to every conversation and interaction. That experience influences interpretation of the other's meaning. The context and nature of relationships, self concept, and culture all shape interpretations or meanings of conversational messages.

The more individuals share similar or complementary world and cultural views, or interpretative biases, understandings, and social values, the more likely they will share similar interpretations in conversations. The opposite is also true. The same event, or raw data, can have vastly different meanings for the parties involved.

The picture is of persons who have learned a set of rules which describe how they and others should behave in conversation and whom to make strategic choices about which rules to follow and which persons to converse with in order to achieve a satisfactory mode... The joke is that the rules frequently contradict each other and fail to cover some situations and that everybody learns a different set of rules. Keeping score in the resulting confusion is difficult for both communicators and social scientists.

Pearce, *supra*.

CONFLICT PROCESS

ACCURATE LISTENING THROUGH PARAPHRASING

CONSCIOUSLY COMPARING UNDERSTANDING

Once again, paraphrasing speaker meaning, or repeating essentials heard back to the speaker, is recommended to verify understanding and correct misunderstandings. Recalling the example in case #1, the speaker said “I am hurt I was not invited to my sister's celebration.” Paraphrasing and checking meaning, or interpretation and value, the listener asked, “I wonder whether being considered and included by my sister, being part of family celebrations, or both, are most important to you.” When the speaker responded with “I have always been included in my sister's important gatherings. I don't understand why I don't know what is going on,” the listener moved forward in understanding the speaker's perspective.

If the listener does not make the above effort to check understanding, he risks unconsciously substituting his own interpretation. He may appear to understand through paraphrasing words

and emotions, when he is actually listening to and proceeding based on his own assumptions rather than the speaker's.

APPLICATION

- Can you identify your assumptions and expectations in conversation? Compare your assumptions with those of someone from a different cultural background.

Cultural Exploration

There are cultures where the "checking in" described above would be considered inappropriate or have an impact different than the verification of accurate, complete understanding desired. For example, in some cultures, by "checking back," the listener will signal "correct" answers; consequently, it distorts subsequent communications (as often happens with young children.)

Thanks again to David Leonard, *supra*.

- What do you suggest?

Conflict Theory

"Root Expectations"

Psychologist Albert Ellis proposes that every individual views and interprets raw data through their own personal "root expectations," or cognitive biases: "The world should be fair;" "Others should be kind and considerate." Individuals can and do interpret disappointed or violated expectations as conflict. *See, e.g., Clinical Applications of Rational-Emotive Therapy* (Albert Ellis and Michael E. Bernard, eds. 1985); Albert Ellis & Windy Dryden, *The Practice of Rational-Emotive Behavior Therapy* (2ded. 1997).

Confrontation episode theory describes conflict over expectations or rules of behavior. A confrontation episode begins when a participant to an interaction somehow informs another that her expectations regarding behavior have been or are being violated. Sara E. Newell & Randall K. Stutman, *The Social Confrontation Episode*, 55 *Communication Monographs* (Margaret L. McLaughlin, ed., 1988).

Cultural Exploration

One of the fascinating aspects of the discussion regarding cultural identity, at least in the United States, is how it seems to assume choice, or specifically, consciousness of cultural influence, as if culture is as simple or easy as choosing one of the popular American ethnic labels. Yet anthropological study of culture and, more recently, foreign service training, reveal a fundamental challenge with cultural influence --- recognizing it.

Culture hides much more than it reveals, and strangely enough what it hides, it hides most effectively from its own participants. Years of study have convinced me that the real job is not to understand foreign culture but to understand one's own... The best reason for exposing oneself to foreign ways is to generate a sense of vitality and awareness --- an interest in life which can come only when one lives through the shocks of contrast and difference.

Edward T. Hall, *The Silent Language* (1959).

Culture is so much a part of us that, unless we face difference, we may assume that all others perceive, think, expect, value and act like us. When conflict brings the experience of difference, we are challenged to become aware of the many specific differences present. Conflict and its resolution involve how we identify and define conflict, how we approach conflict, our beliefs about conflict, the particulars of our communication (verbal and non-verbal), relationships, problem-solving and many other variables.

Cultural Exploration: Assessment Regarding Preferences Which Influence Conflict & Approach to Conflict

- Which of these statements best describe you and your approach to conflict? Write a few statements of your own if the below do not fully describe your perspective and experience.

Emotions/Public or Private Expression/Face -Saving/Assertion

Note: The following statements were recreated and have been used by clients, colleagues and students from over fifty different countries and cultures. It is interesting to see that they can be grouped in ways that correlate with popular multicultural research models and findings. They are not intended to be fixed categories but to stimulate dynamic and perhaps unique awareness and articulation of preferences.

1. “The nail that sticks up gets pounded.”
2. Problem-solving requires open, honest information sharing.
3. It is important for me to encourage others publicly and avoid embarrassing, criticizing or otherwise making another uncomfortable.
4. If others are not openly and publicly critical, I doubt them.
5. Preserving harmonious relationships is one of my goals.
6. I believe all should be treated with respect.
7. I try to maintain an open mind and understand other perspectives.
8. I avoid and work to prevent problems and/or conflict as much as possible.
9. Conflict and cooperation happen together in any society.
10. A world without conflict is boring.
11. I try to approach conflict in a constructive way.
12. Conflict resolution is a process requiring certain skills.
13. Conflicts are not always negative. They can create new initiatives and novel ideas.
14. Those who reveal personal information publicly, with those who are not close friends or family, bother me.
15. Establishing trust is critical.
16. I have a hard time trusting those who do not share personal and other information freely and openly.
17. It’s easy for me to say what I think in conflict.
18. When I am fearful of abuse, retaliation or other harm resulting from open, direct communication, I refrain.
19. I try to help others speak more about what they want.
20. If I do not sense emotion (passion, feeling...) from another, I doubt their sincerity.
21. Emotions are important signs of caring and concern, or indicators of a hot issue or relationship is particularly important. “Venting” or open expressions should be

encouraged for authentic, honest disclosure and to learn the most important issues, needs and concerns.

22. Expressing emotions openly is a sign of weakness, e.g., loss of control or reason, and should be discouraged as counterproductive.
23. Displaying emotions may be a sign of manipulation, e.g., emotional appeal, seduction, and should be "guarded against."
24. If feel uncomfortable with the emotional expression.
25. Heartfelt communication is important.
26. I am embarrassed by public emotional expression and would be ashamed if I did so.
27. Private handling (e.g., suppression, containment) of emotion is desired.
28. Honest and open expression is more important than feelings and relationships.
29. I prefer to exchange opinions and discuss reasoning.

Ethical Perspective

From my experience, as a conflict resolution teacher and professional, the most popular and immediate response to conflict is avoidance, with a negative definition and evaluation of conflict. Some possible negative consequences and aspects of conflict students identify include: violence, trauma, break-down in relationships, divorce and separation, guilt, stress, unpredictability, polarized entrenched and even impasse, disrespect, hatred, revenge, and fighting that is inefficient, costly and consuming.

APPLICATION

- What are possible consequences of the corporation ignoring and avoiding conflict here?

Conflict Theory

What is conflict? This sparks another complex, multifaceted discussion, with many definitions, interpretations, attitudes and approaches. To begin, one simple definition is "an expressed struggle between at least two interdependent parties who perceive incompatible goals, scarce rewards, and interference from (each other) in achieving their goals." Joyce L. Hocker & William W. Wilmot, *Interpersonal Conflict* (2nd ed. 1985).

APPLICATION

- In this case, the company's goals include avoiding the time, costs and negative publicity of a lawsuit. Many who consider lawsuits do not believe they will be adequately noticed, heard and considered without one. What are some ways the corporation might prevent conflict (and a lawsuit), create compatible goals, or otherwise help the employee meet his goals? For example, how could the corporation initiate alternatives to give its employee desired attention, adequate opportunity to be heard and consideration? (Note: The interest analysis explained in case #1 should contribute here.)
- What are the employee's options for having his concerns heard, considered and addressed? In light of his desire to remain employed "on good terms?"

Conflict Theory

What is needed?

In Fisher and Ury's words, "the most powerful interests are basic needs." Fisher, Ury and Patton, *supra*. Probably one of the best known and popular models of human needs is Maslow's hierarchy. It starts with physical survival, and continues with security, belongingness, esteem, and self-actualization. *See, e.g., Abraham H. Maslow, Motivation and Personality* (2ded. 1970).

Another popular model of human needs is the "Fundamental Interpersonal Relations Orientation" or FIRO-B. FIRO-B presents human needs for inclusion, control and affection. William C. Shutz, *FIRO: A Three-Dimensional Theory of Interpersonal Behavior* (1958).

APPLICATION

➤ As you read the remainder of the case study, begin to identify needs/interests with the Maslow and FIRO-B categories.

➤ Corporation
Positions:

Employee
Positions:

Interests:

Interests:

Note: Positions are explained in case #1.

The needs described above are considered and addressed in optimal conflict process. For example, sharing food before a tough cross-cultural dialogue can be an important way to build a sense of security or safety and a sense of belongingness. Sharing food can also be used to celebrate, validate and esteem a tough positive effort. Conflict resolution students from diverse cultures suggest music, soft lighting, pleasant scents and use of art materials for creating a secure environment and esteem using different means of expression and communication.

Interview #3 You briefly interview the clerical staff (hereinafter "Staff #1") present the day in question. She describes the complaining employee as demanding.

Interview #4 The next eyewitness (hereinafter "Staff #2") worked in the office the day in question with a young woman who has since quit. The eyewitness being interviewed reports that the first time she saw the complaining employee, he rushed into her office, pounded on the desk and yelled "911." She and her colleague were scared, feeling trapped behind the desk with no escape route. She was quite relieved when one of the security officers, who she describes as a good friend, appeared and restrained the complaining employee.

Questions

➤ What is your response to these descriptions? Are their evaluations and perceptions of the complaining employee sufficient? Potentially biased in any way? Can you identify possible root expectations? Create one or more questions to investigate? Clarify?

In this case study, possible conflicting root expectations might include: "Nice, safe people speak quietly and do not pound on tables," "Good citizens are respectful of authority," or "People who care show strong emotions publicly, interrupt and do not sit quietly."

Questions

➤ At what point do root expectations become biases or prejudice?

- **What are some of your “triggering events” for conflict besides disappointment or violation of root expectations? What are some of the “cues” or “signs” you give others when you are “triggered?”**

Optional: Ask someone who knows you well and is able to “read you” to describe some of your cues, including your most subtle signs. Identify and describe some of your top provocations and responses.

Interview #5 The reprimanded officer (hereinafter “officer”) does not appear happy to see you but answers all questions. He was only present and involved after the other officer arrived back at their office. At that time, while both officers stalked, the officer you are interviewing saw the complaining employee rush toward them, turn away and immediately return. The officer admits swearing, remembers saying something like “You better leave. He’s angry. You could get hurt.” When the officer saw the complaining employee go into his office instead, he followed him and once again asked him to leave. When the complaining employee appeared to continue ignoring the officer’s request and started yelling, the officer restrained him and called the city police. The officer referred to the complaining employee as a “crazy dangerous psycho.”

Interview #6 The complaining employee describes an officer (the one since fired) yelling at some unidentified people at the company picnic, using words like “You xxx...”. The employee complained to the officer and heard “This is none of your business.”

Soon after, the complaining employee saw the same officer talking with another officer and decided to complain again. As he approached them, he heard the second officer threaten to hurt him, got scared and ran into the office to call 911. As he describes the experience, he appears to have tears in his eyes.

Questions

- **How do you proceed with two opposing stories?**

Conflict Theory: Perception & Cognition

Research shows a human tendency to create more favorable versions of ourselves and less favorable versions of the “other” when in actual and perceived conflict. See, e.g., Ray Cameron & Don Meichenbaum, *The nature of effective coping and the treatment of stress-related problems: A cognitive-behavioral perspective*, Handbook of Stress: Theoretical and Clinical Aspects (Goldberger and Breznitz, ed. 1982); see also Beverly Davenport Sypher & Howard E. Sypher, *Affect and Message Generation*, Communication, Social Cognition, and Affect (1988).

“fueling the fire”

Related cognitive biases or perceptual distortions, which contribute to escalation of aggressive conflict, include: 1) denial or omission of factual data (selective perception), 2) projecting one’s own unacknowledged weaknesses and behavior onto another, 3) minimizing one’s own behavior, 4) magnifying, exaggerating and making broad generalizations about the other’s behavior, 5) simple dichotomous and polarized thinking: “black/white,” “either/or,” “right/wrong,” “all or nothing”... 6) blame with selective perception: seeing only what proves one’s blame, and 7) rationalizing, justifying and excusing one’s own behavior.

See, e.g., Walter A. Crockett, *Schemas, Affect and Communication*, Communication, Social Cognition & Affect (Lewis Donohew, Howard E. Sypher and E. Tory Higgins, ed. 1988), Matthew McKay, Peter Rogers and Judith McKay, *When Anger Hurts: Quieting The Storm Within* (1989); Carol Tarvis, *Anger: The Misunderstood Emotion* (1989); Hendrie Weisinger, *The Anger Workbook* (1985); see also Federal Emergency Management Agency, *Behavior and Attitudes Under Crisis Conditions: Selected Issues and Findings* (1984).

Psychologist Carl Jung advocated consciously increasing awareness of one's own "shadow" nature. He believed that without this awareness, we risk unknowingly projecting our own weaknesses and other parts of ourselves we are uncomfortable recognizing and admitting. Projection involves seeing in and blaming others for what is actually true for ourselves. Carl Jung, *The Undiscovered Self* (1958).

APPLICATION

- **Have you ever found yourself intensely criticizing someone else for something that, on reflection, may "lie within?"**

Conflict Theory

(T)here has been a tendency to quite inaccurately characterize the cognitive perspective in psychology as viewing people as entirely conscious and rational. This erroneous characterization is deserved up to a point... It was quickly discovered, however, that if anything, people were better described as *faulty* computers—their natural cognitive functioning produced all kinds of biases and distortions...

John A. Bargh, *Automatic Information Processing: Implications for Communication and Affect*, Communication, Social Cognition and Affect, *sup ra*.

APPLICATION

- **Observe and journal your own perceptions and thoughts in response to conflict. What do you notice? Not notice? Ignore? Minimize? Discount? Explain away? Embellish? What thoughts do you notice yourself forming re: Yourself? Others? Can you identify examples of the perceptual/cognitive practices listed above? Describe in detail.**
- **Blaming**
- **Minimizing, denying ("not seeing") or excusing own behavior or responsibility**
- **Magnifying or exaggerating other's behavior or responsibility**
- **Other dehumanizing practices**

Cultural Perspective

Some interesting proverbs

"Willow trees do not get broken by piled up snow."

“To lose is to win.”

“The true tolerance is to tolerate the intolerable.”

“I am at peace with what fate has given me.”

Reflection

A thorough understanding of perceptual distortions and cognitive biases is essential for constructive conflict resolution. For students of interest in win-win-based negotiation, facilitated dialogue, mediation and other “win-win” conflict approaches, however, the ability to describe distortions and biases is only the first, and probably easiest, step.

One of the most important tasks, for the teacher or trainer of mediators, negotiators and other conflict intervenors, is helping students recognize and challenge these phenomena within themselves. Students are asked to consciously recognize and challenge habits that appear deeply rooted in human psyche.

Recognizing and changing ingrained cognitive habits can be enormously difficult. The practice requires “slowing oneself down” to consciously and “objectively” examine one’s own habitual response, and consistently redirecting oneself from habitual judgment, particularly evaluation of others with biased filters.

The challenge appears to increase in direct proportion to perceived and actual discomfort or stress. As perceived conflict (intra/inter) escalates, students of conflict resolution, like others, appear more likely to screen out and not see (perceive) data which could help them redirect their conflict constructively, while simultaneously emphasizing any data which “proves” their own evaluations of themselves and negative evaluations of “the other.” In short, they struggle with distorting concrete data. Conflict theory explains possible reasons for the challenge.

Conflict Theory

Identity (is) defined as an abiding sense of selfhood that is the core of what makes life predictable to an individual... To have no ability to anticipate events is essentially to experience terror... Events which threaten to invalidate the core sense of identity will elicit defensive responses aimed at avoiding psychic and/or physical annihilation.

Terrell A. Northrup & Stuart J. Thorson, *Intractable Conflicts* (1989);

(See also *Handbook of Stress: Theoretical and Clinical Aspects*, supra, “Maintaining coherence in an individual’s conceptual system is of critical significance because without a unified system events cannot be adequately anticipated and coped with...”).

Emotionally significant experiences that cannot be assimilated into a coherent system have been shown to generate high levels of anxiety...”).

According to the above theories, anything that is perceived as against, or outside, one’s core sense of identity, may be experienced as a threat and result in cognitive and perceptual distortion, as we

attempt to reduce, even eliminate, the threat. A pseudo attempt to protect and defend identity may be made through ignoring, minimizing or rationalizing the threat.

By choosing to defend what is familiar and known, rather than focus on learning more about what is new, and ignoring or discounting the threat, less and less true information about "the enemy" is received. As the party to conflict increases reliance on his or her own psychological interpretation to describe, dehumanize and objectify "the other," misinformation increases. An escalating spiral of destructive conflict may result.

Our ability to adapt and be flexible is key to countering destructive defense. The more rigid our approach, the more brittle and vulnerable we are.

The relatively normal person, when he [sic] realizes his scheme is seriously in conflict with reality, is adaptable and modifies his orientation, abandoning what is patently false. But there are certain situations which work against flexibility and adaptability and favor rigid adherence to the guiding fictions. These are conditions in which the individual experiences exaggerated feelings of inferiority and psychological uncertainty, conditions that spell anxiety....

See Alfred Adler, *Superiority and Social Interest* (1964).

Cultural Exploration

Anthropologists Robarchek attribute a sudden and dramatic decrease in the "life-long" aggression of the most violent culture in the world to the availability and receipt of new information. The "psychocultural dynamic involving information, beliefs, attitudes, values, goals and intentions that had perpetuated violence" dramatically shifted. Clayton and Carole Robarchek, Waorani: *The Contexts of Violence and War* (1998).

Conflict Theory

This is not to say that automatic processing is "bad" or that people are "lazy" for relying on it. We have no choice but to rely on it, and without it the amount of attention it would require to do any of the well-learned things we as adults take for granted would overwhelm our limited attentional capacity; in Miller et al.'s (1960) example, we would be unable to get out of bed in the morning. Automatic processing frees the limited attentional capacity to focus on the new, the unusual, the potentially dangerous, the most informative, and the most important events going around us at any given time. The point is not that one should try to pay attention to everything that is happening, or to contemplate all of the ramifications and possible meanings of every event. Rather, the point is only that one should be aware and admit to the possibility that one might be biased without knowing it, and to take this into account when making the more important decisions concerning oneself, one's future, and the people in one's life. Bargh, *supra*.

Cultural Exploration

The study of culture shock provides an intriguing parallel. Culture shock also reflects a "threat to one's identity construct." But do we see or hear the aggressive responses described by Terrell

Northrup with cultureshock? Whynot? What variables differ? Perhaps future research will illuminate possibilities for conflict diffusion and deescalation.

Cultural Perspective

Buddhism is one of the world's religions that teach similar work: recognizing one's own dualistic thinking (e.g. "us/them," "right/wrong") through closely observing the mind's thinking during regular meditation. Perhaps life-long Buddhist practices will help us be patient and persistent, or realistic with ourselves, in developing the self-awareness needed for seeing our cognitive responsibility in conflict.

Interview 7 This staff (hereinafter staff #3) describes two different encounters with the complaining employee as he sought two meetings with a corporate officer. The first sounds pleasant and routine. (This employee has worked in her position for many years and does not distinguish this first interaction from many others.) She describes these second as dramatically different. The complaining employee became upset immediately after hearing that he could not meet with this corporate officer again. He started screaming and hit the employee's desk. As a result, the officer banned the complaining employee from her office.

Questions

- **What if you present the above description (with permission) to the complaining employee and he appears to ignore you? Roll his eyes and makes a "funny face"? Continue to focus on describing others' aggression and disregard and himself as a victim? Even after you inform him that the corporation did fire and reprimand the involved officers after investigating his complaints? Becomes more upset, stands up and start to point his finger at you as he describes how uncaring and unresponsive the corporation is?**

Postscript The external ombuds terminated the investigation after the complaining employee started acting more aggressively with the ombuds. The corporation was willing to speak to the local criminal authorities and ask that all charges related to the employee's arrest be dropped.

Proposed Third Party Conflict Intervenor Competencies

Information Gathering Skills and Knowledge

2. Demonstrates culturally appropriate interviewing techniques that consider the level of intrusiveness, directness, social distance, formality and forms of address.

Relationship Skills and Knowledge

1. Can form an effective facilitative relationship;

Demonstrates ability to earn trust and maintain acceptability with parties *including consistent sensitivity to and consideration of strongly felt values, expectations and preferences of the disputants (e.g. gender, ethnic and cultural differences) demonstrated with appropriate and informed behavior and process flexibility.* SPIDR, *supra*.

Interaction & Conflict Management Knowledge & Skills

1. Consistently demonstrates alert, attentive observation of process dynamics and accurate, detailed description. Consciously separates sensory data from assumptions, evaluations, conclusions, etc. and regularly reviews with parties;
2. Demonstrates ability to diagnose process need, identify or design appropriate intervention(s), implement and evaluate with variety of challenges, with consideration of relevant conflict theory and research. *See* SPIDR Qualifications; Maryland; California.

Communication Skills & Knowledge

1. Reduces obstacles to collaborative communication, e.g. avoidance, hidden agendas, triggers of defensive communication. *See* AFM;
2. Demonstrates awareness of different cultural communication styles, explores appropriately with parties, and effectively integrates preferences into process;
3. Gives constructive feedback, i.e., specific, concrete and non-evaluative description of perceived dynamics with focus on ways of improving communication and problem solving. *See* CCMMO.

Problem-Solving Skills and Knowledge

1. Demonstrates critical thinking:
 - A. Active continuing commitment to inquiry, exploration and understanding (*See* SPIDR Qualifications including
 - Growing awareness of personal (cultural) filters, expectations, values, assumptions and interpretation, particularly those, e.g., prejudice, reactive rigidity, which may hinder effectiveness;
 - On-going assessment of perspectives' validity through careful examination of underlying concrete data and openness to data that may call perspectives into question;
 - Seeking, receiving, comprehending and gaining insight into ideas, perspectives, assumptions and beliefs different from own;
 - Demonstrated ability to integrate new information to change perspective.

ROLE-PLAY SIMULATION



Cast of Characters

1. Ombuds
2. Complaining Employee
3. Supervisor
4. Manager
5. Officer
6. Staff #1

7.Staff#2
8.Staff#3