Frameworks for effective third-party conflict management

Version 5

Bob Dick

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Frameworks for effective third-party conflict management

by Bob Dick

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The five frameworks and their use, and the supporting models, remain essentially the same. This revision contains numerous corrections and modifications throughout, and some minor additions. Many graphics have been redrawn. Some of the language has been further simplified.

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Overview

This paper describes a specific process for one-to-one conflict management with a "third party" or mediator.

My overall conception of conflict management is of two people pooling the information they have. Then, equipped with this information, they devise a solution that is better for both of them. The mediator's task is then to manage the process in such a way that the people in conflict are able to pool their understanding and make their own decisions. It might be described, overall, as a joint problem-solving approach, though not in a narrow sense. It is also able to deal with issues of relationship and perceptions. In fact, these are an important part of the approach.

For ease of learning and use, I've separated the process for the mediator into five distinct frameworks. These range in scale from the overall form of a typical conflict management activity to specific questions that elicit needed information. The resulting process is simple, yet allows for the complexity of interpersonal conflicts. I've provided a step-by-step description for each framework. Enough supporting conceptual models are also included to aid understanding.

The use of five "frameworks" allows an approach that can be learned a piece at a time. It is fairly robust for simple conflicts, even in the hands of someone relatively experienced. More experienced mediators can use the frameworks to extend the options they have available.

The processes are designed to be flexible and responsive to the situation. For example, depending on the needs of the moment, the style of mediation can resemble that of a task-oriented role negotiation, relationship-oriented team building, or something more akin to conventional conflict management. As required, the frameworks take into account the cognitions, emotions and behaviour of the people involved.

Finally, a set of "safety net" suggestions is also provided. These are to help novice mediators approach conflict management with more confidence, and to extract themselves more easily from difficult situations.

Introduction

This is a very brief description [1] of one version of what is sometimes called mediation, sometimes conciliation, sometimes alternative dispute resolution, and sometimes third-party conflict management. [2] In it, a facilitator or third party uses structured processes to help two people to improve their relationship and resolve their differences.

You can extent the processes described here to deal with group-on-group or one-on-group situations, though less easily. To do so you interpose regular small group sessions for each major segment. In these sessions the members of each group prepare the material they wish to communicate to the other group. They brief one of their members to do the communication, while they listen and observe. You might also use the same processes to manage a conflict of which you are part if your communication skills and confidence are adequate. I don't provide further details of these extensions here.

The processes are rather more structured and robust than most. This is so that they are suitable for use by relatively unskilled mediators. If you have a moderate level of communication skills and self-confidence the processes will help resolve all but the more difficult conflicts.

The description in this document may not contain enough detail for you if you are a complete novice. It is intended primarily as an aid to memory for those of you who have attended a workshop where you learned this process, or whose communication skills are above average. It may also be useful if you are already a reasonably skilled mediator — it may provide some variations to add to those you already use.

These are processes that I use myself. When I first developed them I stayed very close to the processes as described here. I now depart from them readily and often, depending upon what seems like a good idea at the time. They can be substantially strengthened in the hands of an experienced and flexible mediator. As you develop experience you'll know what shortcuts to take and when to take them. I suspect that it will not take you long to discover many shortcuts for yourself.

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1. See this and subsequent notes at the end of the document.

I therefore encourage you to treat these processes as a starting point for change and experimentation. There are many ways of facilitating conflict management processes. [3] For simplicity, I describe only one way. Feel free to modify it until you have made it your own. Until then, you may not be as effective with it as you might be.

Context

As already mentioned, this paper describes one-on-one conflict management, with a "third party" acting as mediator. For simplicity of explanation, in the remainder of the paper I assume that you act as third party.

Most of the emphasis is on the actual conflict management session where you bring the two people together face to face. Four of the five frameworks apply there, while the fifth describes the overall shape of the entire activity. You can't afford to treat the face-to-face session in isolation, however. Its success depends also on what you do before and after.

Before the session I suggest you talk at length to each of the people. You won't always be able to do this, as conflict sometimes arises unbidden. But you will make your task much easier when you can.

You may or may not have access to the people *after the session*. But at least *during* the session you can build in agreement on *action* after the session, and preferably further sessions for follow-up. Unless people do act on the decisions they make, it may all be rather pointless. Even the improvements in relationship will be short-lived if either of the people thinks that the other has reneged.

It is also necessary to link together the preparation, session and follow-up. To achieve this, the session itself includes transitions from the preparation, and to the follow-up. Figure 1 shows this diagrammatically.

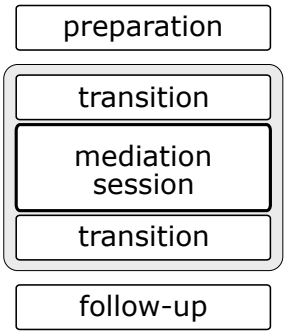

Fig. 1

Conflict management:
The major phases of the overall process

Overall, you can think of conflict management as having three broad phases. The first, preparation, sets the scene. It readies you and the other people for the session itself. The face-to-face session then brings the people together. It helps them to understand each other's position, and to make decisions about future actions that are good for both of them. In the language of some conflict management literature, it is intended to be "win/win".

As in most conflict management, many of the actions can't happen until after the face-to-face session. It is therefore a good idea to build in a later review of their success. The face-to-face session itself therefore includes transitions to link it to the preparation and follow-up.

In most of the rest of this paper, the phases are described in somewhat more detail.

Preparation

To prepare for the session you set up separate one-to-one meetings with each of the two people. Your intention is to

- establish a good relationship with each of them
- decide if conflict management is an appropriate approach
- decide if you're an appropriate third party and
- clarify your role and theirs.

It is also valuable to discover how well each of the two people understands both sides of the issues. In fact, you can usefully encourage this by asking each person, from time to time, what she [4] thinks the other person's views might be.

You may also wish to find out what the issues are. Strictly speaking you don't *need* to know this; but I find it helps my peace of mind. It may also help you to decide if you are likely to be able to be of any assistance. There is no disgrace in deciding that you are not the right person, or that conflict management is not the right process. Sometimes that is the best decision.

Certainly, there are occasions when your best strategy is to avoid getting involved. The processes described in this paper, though more robust than most, don't work in all situations. In particular, they depend on two prior conditions being met:

- The first is that *you* are able to develop an adequate relationship with each of the people. Unless they believe that you are impartial [5] and well-intentioned they won't really accept you as a mediator.

  You act as a channel of communication between the two people. They may find it difficult to communicate with each other directly. But they can talk with you in the other person's presence. For this to happen they must have enough trust in you as a person.

- The second is that each of them does want the present situation to improve. It takes two to reach a joint decision. The processes will fail if one person isn't really taking part.

  If you are experienced, it is enough that each of the people in dispute wants improvement. With this as a starting point, you can then often demonstrate to a person who won't shift that she would be better off if she did.

  If you don't have much experience, it is easier and safer for you if they are also clearly willing to change their own actions to meet each other part way. I suggest that you try to get a firm commitment to that effect.

In my experience, the way to build a relationship with someone is to be yourself. Let them see you as the person you are, not as a "consultant" or "mediator" or whatever it might be. If you show in your own actions a high level of openness and directness, you have a much better chance of forming a good relationship. In turn, they are then likely to tell you more of the truth as they see it. And it is the truth *as they see it* that is important. That is what guides their actions.

During the initial contact, ask each person for a clear and strong statement of commitment towards improvement. This is what allows you to intervene in the process during the session. Without it you will find your influence reduced, perhaps to the point where you can't be effective.

The preparation also serves a third purpose: to clarify your role. If you use the processes described in this document, you function as a facilitator. You are not an arbitrator. You *guide* the two people through the *processes*. You do not get involved in the actual decisions (the "*content*"). The processes help *them* to make better decisions — decisions that satisfy both of them. They are also likely to have more commitment to solutions that they themselves have developed.

Like most of you, I suspect, I am sometimes tempted to "help things along" with a suggestion here or there. But I now think this — with some very rare exceptions — is usually better avoided. I find that if I confine

myself to guiding the process, people are more likely to follow my suggestions about the process.

Curiously, I am then also free to be more open about my views when I am asked, provided I am clear that they are just my views. Making suggestions about actual solutions, unasked, seems to contaminate my process role. People are then less willing to regard my process interventions as legitimate. The more difficult the issues in dispute, the more this seems to matter.

I may or may not involve the two people in making decisions about the processes used. That's *my* expertise. However, if time permits I usually do. I explain my intended processes. I ask for their comments and amendments. Finally, I ask for their agreement to use those processes. Part of my intention is that they can then use the processes without help when new disputes arise later. When time is short, however, people tolerate a high level of directness from me if I have been careful to stay out of the content of the dispute.

There is a complication. They may *expect* you to offer solutions. So describe to them the processes you intend to use. Explain that your task is to guide them through those processes. It is up to them to identify the issues. It is up to them to work out better ways of getting on with each other. The outcomes they will achieve are beyond your control. It is best for you and them that they don't hold you responsible for the outcomes.

The mediation session

This is a highly structured and rational style of conflict management, or at least it appears to begin like that. [6] You use a problem solving approach in which you ask the two people to take one small issue at a time. They exchange information on this small issue until each of them fully understands the other's point of view. They then use a joint problem-solving approach to identify a solution if one is possible.

At all times the aim is to reach a decision that satisfies both people — that satisfies all people, if there are more than two, including people who aren't present.

It will be easier for you to manage the session if you understand the communication model on which it depends. A description of the model follows. It explains the information that people exchange within the conflict management process.

Background model

At its simplest, the relevant information consists of specific actions, the outcomes of those actions, and the intended actions in response:

actions → outcomes → actions

One person's actions have outcomes for the other person. The second person reacts to those outcomes. It is therefore a double chain, from one person to the other and back to the first. It sometimes happens that an ongoing cycle occurs — that the actions that result are the same actions that started the whole process in the first place:

actions → outcomes → / ← outcomes ← actions

In fact, when two people have had a poor relationship for some time, this is a common situation. [7]

Sometimes the only outcomes are material: actions and "things". On other occasions they also include beliefs and feelings, and the intentions that precede action. There may again be a double chain from person to person and back:

actions → outcomes → beliefs → feelings → intentions → / ← intentions ← feelings ← beliefs ← outcomes ← actions

In other words, suppose that the second person suffers some consequences as a result of the first person's actions. She may then develop beliefs about the first person to explain the consequences. She may then react emotionally, form an intention to act, and then act. Her actions in turn may trigger a similar sequence of events for the first person.

The most important beliefs are usually the assumptions that the two people have formed about each other's intentions. Though important, these are seldom voiced. A core part of your responsibility is to help the two people make them explicit and understand them.

Quite often a person will, through her own behaviour, unwittingly trigger the very reactions that distress her. That is, you can expect some self-fulfilling prophecies to be operating. People often unknowingly produce from others the very reactions that they then react against. The overall body of information to be exchanged therefore looks something like the diagram of Figure 2.

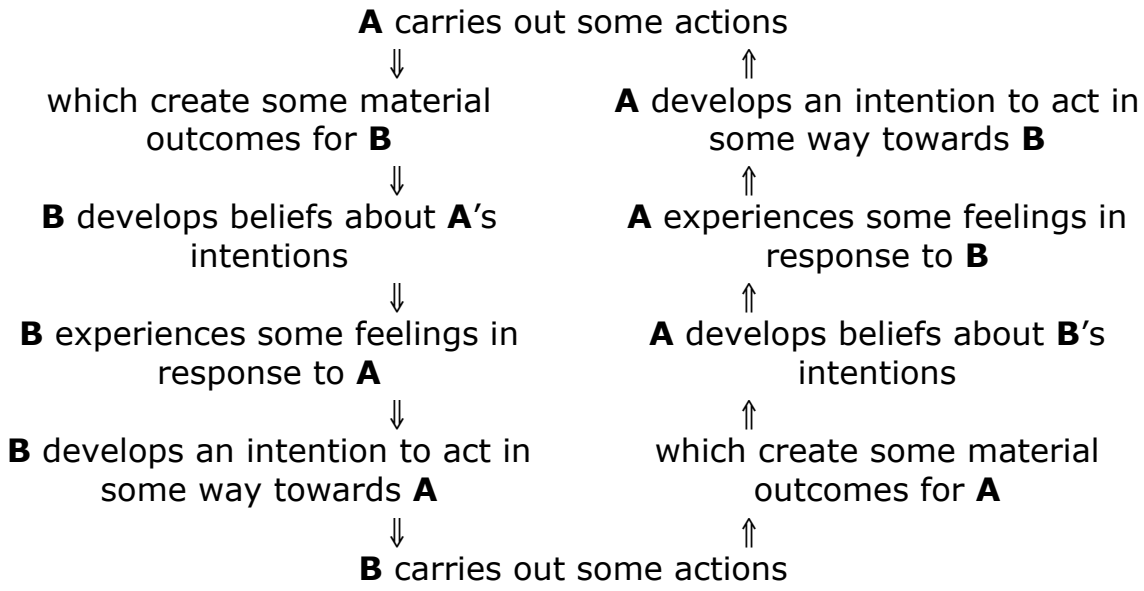

Figure 2 The information chain

Note that only one person ("**A**") has direct access to some of this information (all or most on the left hand side). Only the other ("**B**") has direct access to all or most on the right side. Until *both* people understand *all* the information, a successful resolution may not be possible. Your intention is to ensure that both of them understand all the information.

In other words, you are facilitating a process of mutual education. Your aim can be summarised as helping the two people to understand the elements in this cycle and how they operate. When they have done so they are then usually able to craft a satisfying resolution.

In addition, understanding of the dynamics often also brings a better understanding of the other person. Their relationship is then usually also enhanced. As each issue is resolved, the relationship is further improved.

This is a key point. So let me restate and summarise it again. For many issues, the two people in conflict will have different perceptions of that issue. Each of them will have only incomplete information. *Your task is to help them learn and understand all of the relevant information* — that is often what will rebuild the relationship and enable resolution of the issue.

It helps greatly to keep this task in mind throughout the process. You are then more likely to make good decisions about the process to use at any moment. You are more likely to help the two people to a good outcome.

To bring about a sharing of this information you may use quite elaborate processes. In essence, though, the main feature is that the processes produce a real *exchange* of information. That is, while one person talks, the other listens and seeks to understand. See Figure 3.

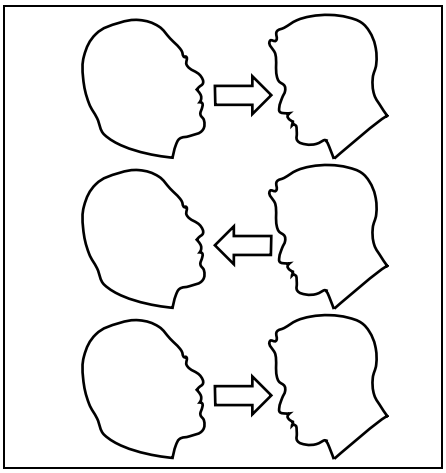

Fig. 3

Conflict management depends upon an *exchange* of information. For this to occur, when one person talks the other must listen and understand. The processes therefore encourage clear talking and good listening, and include a check on understanding.

Process guidelines

In the early stages of the face-to-face session you may have to intervene often to keep the two people on track. As the session proceeds, the two people will follow the process with less prompting from you. This is a good sign, as it implies that they are more likely in the future to use the process to resolve problems as they emerge.

You can speed this process up by using "process guidelines" or agreed guides to action. The conflict management session will be easier to manage if participants (and you as facilitator) try to follow certain practices:

- Firstly, you and they involve in the decision-making anyone who is affected by the decision. You don't allow the participants to make decisions affecting someone not present.
- Secondly, they are encouraged to understand an issue thoroughly first, and only then attempt to resolve it. They may otherwise solve only the symptoms, leaving the underlying problems unresolved.
- Thirdly, as far as possible they state all problems and issues as common goals. They avoid the often-common strategies of blame or criticism or unilateral demands.

Box 1 summarises the process guidelines.

Box 1: Mediation process guidelines

- Involve anyone affected by a decision in the decision making about that decision.
- Try to resolve an issue only after all the relevant information has been exchanged and understood.
- State all problems and issues as common goals; avoid all blame, criticism and demands.

By getting agreement to these guidelines, you achieve two purposes. First, you make it easier for yourself to intervene when people later ignore the guidelines. Have given their commitment to observe them, they are more likely to tolerate your interventions. Second, you share the responsibility for the processes with them. They are then more likely to try to observe the guidelines. They are also more likely to use them in later disputes.

Lists

Another useful transition activity is the preparation of lists. Each person prepares lists of items that she is prepared to talk about.

There are a number of variations available. You can change the style of interaction by varying the lists. It is common to include a list of positives, a list of negatives, and sometimes a list that tries to anticipate what the other person is going to say. The third of these is intended as a reminder that there are two perspectives to an issue. It may also speed agreement; instead of arguing with what one person has said, the other can often respond "Yes, I had something like that on my list."

I have found that the list [8] shown in Box 2 works well in a variety of situations. It elicits tangible and work-related issues when such issues are the basis of dispute. It also allows the participants to deal with less tangible issues.

Box 2: Lists to prepare for mediation

1. Things I would like the other person to continue doing just as she does them now.
2. Things I would like the other person to do more or less of, or to change in some way.
3. My guess about what is on the other person's lists.

The preparation of lists gives you a better quality of information. Because people are less often required to think on their feet, they may adopt a more reasoned position. Lists also equalise power. For instance, one of the participants may be quick-thinking and outspoken. Such a person may be used to dominating a discussion by initiating most of the topics discussed.

(Sometimes you may be working with participants who are more aware of processes than usual. If so, you may instead construct the guidelines with their help. This is likely to yield more commitment, at the cost of taking more time.)

Mediation

Then comes the heart of the session, when the issues are identified and a resolution is attempted.

This phase of conflict management may appear to be very complex. Fortunately, this is partly illusory. This style of conflict management session uses a number of sub-processes. Each of them by itself is relatively simple.

Each sub-process operates at a different time-span. The result would therefore appear to an observer to be complex and unpredictable. However, as mediator you need focus on only one of these sub-processes at a time. You will then find the session much easier to understand and manage. This is the aspect of the approach that increases its learnability, and its effectiveness even in the hands of a relative novice.

There are five such sub-processes or "frameworks". From short-term to long-term, they are...

- statement shaping;
- information exchange;
- information selection;
- resolution selection; and
- the overall process.

Each of these frameworks can be cyclic. The overall process can thus be regarded as the series of nested cycles shown in Figure 4.

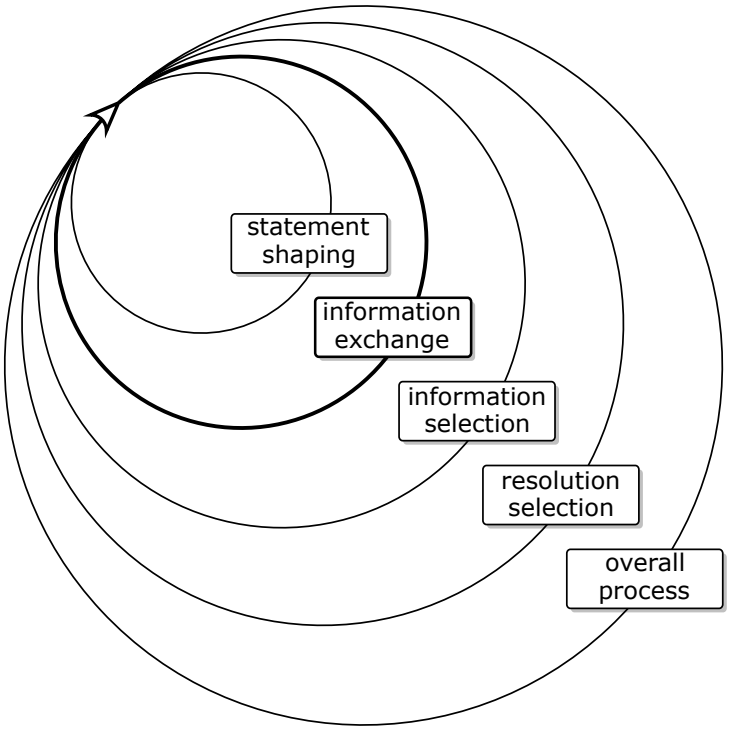

Fig. 4

The heart of this style of mediation session consists of five nested cycles of sub-processes

It will be seen that the cycle of information exchange is the key part of mediation. As mediator you will add other cycles to this as the situation requires. Sometimes you may move inward to the briefer cycle of statement shaping. On other occasions you may move outwards to the longer cycles of information selection and resolution selection. Usually, though, you will then return to the basic information exchange cycle.

In partial summary, then, you now have a key task and a key process for achieving it ...

- Your key aim is to bring about mutual understanding, with each participant truly understanding the other person's situation. And thus, you help the participants rebuild and enhance their relationship.
- You achieve this by helping each participant to share the information and understanding that the other participant doesn't yet have. The key process for this is the process of information exchange.

Box 3 describes the five sub-processes briefly. They are explained in somewhat more detail later.

Box 3: Five frameworks for mediation

Statement shaping	a series of questions that you can use to "shape" a person's statement into a form where it is unthreatening, and more easily understood.
Information exchange	the heart of a conflict management session, a repeated process that ensures that each person understands what the other has said.
Information selection	a framework that helps you to decide which information you need: actions and outcomes only, or feelings — and perhaps beliefs — as well.
Resolution selection	a framework that provides criteria for choosing between consensus ("win/win"), negotiation ("partial win/partial win") and agreement to differ.
The overall process	including preparation, pre-transition, the session itself, post-transition, and follow-up. It, too, may be repeated until all issues are surfaced and resolved.

Of these, the most central is the process for information exchange. It is the framework that does most to bring about genuine understanding. If it is managed well, the remaining processes are usually easy enough to manage too.

If you do not have much experience at third-party conflict management, therefore, I suggest you give most of your attention to the process for information exchange. Treat it as a sort of "home base". Incorporate other sub-processes within it as the situation requires it.

For example, sometimes the information exchange isn't entirely successful because of the amount of blame. When this occurs you can then move briefly to the finer grain process of statement shaping until the blame is removed. Similarly, as you work through the information exchange process, you can also move outward, adding the other processes as they become relevant.

Information exchange

In exchanging information the participants deal with different issues at different times. They exchange differing types of information. The type of available resolution may differ. Within a given topic, they first exchange information about the issue, and then exchange information about ways of dealing with it.

But throughout all of this, the information exchange process has an element that builds mutual understanding. Before responding to any statement, the listener is required to say, in her own words, what she has so far understood. This encourages good listening. Understanding is then more likely to be achieved.

The process also deals with information in small amounts at a time. The speaker is asked to observe the process guidelines presented earlier. As mentioned, the listener is required to restate what she has understood before responding. She may first ask questions, though they must be for clarification only, not a response disguised as a question.

The two people alternate continuously between the roles of speaker and listener until full mutual understanding is reached. This applies throughout the overall process.

Box 4 summarises the information exchange process .

Box 4: Information exchange

A non-defensively describes one item from her list, while

B first listens, trying to understand what it is like for **A**;

B then may ask questions, for clarification only;

B finally restates **A**'s point of view *in her own words*;

then ...

B responds non-defensively to **A**, while

A listens, trying to understand what it is like for **B**;

A asks questions, for clarification only;

A restates **B**'s point of view *in her own words*;

A responds non-defensively to **B** ...

and so on until agreement is reached.

Statement shaping

When A and B first begin to exchange the information they may find it difficult to speak specifically and without blame. In a long-standing conflict in particular, blame and criticism are likely. People also frequently express their views in the form of a unilateral demand.

When this happens, listening is reduced and the process is placed at risk. To set it back on the rails, in effect you interpose yourself between the two people. You interact with the person who is blaming or demanding. You use the statement shaping questions until she converts her statement into the required form.

You will recall that the required form or information is...

actions → outcomes → beliefs → feelings → intentions → actions

or some subset of this. You use statement-shaping questions to elicit this information, an element at a time from the speaker. Using these questions,

you obtain clear behavioural statements containing all the relevant components. You ask the questions in such a way that the links between the components are made explicit.

Using these questions you are interacting directly with the speaker. The listener has time to get used to what the speaker is saying. Eventually the speaker will give you a statement in the required form. You then ask her to address the listener directly and provide the same information.

> *"That's excellent,* ***A****. Now look at* ***B****, address her by name, and explain to her without blame or criticism or demand what you have just explained to me.* ***B****, at this stage your only task is to understand what it is like to be* ***A*** *in this situation."*

Box 5 lists the questions. You will note that all of the questions produce information in the same form — as descriptions of actions. The different types of information are thus more easily linked together, and their connections understood.

This feature also makes it easier for the listener to understand how the speaker experiences the situation.

Box 5: Questions for statement shaping

Actions	"Exactly what is it that **X** does or says, that leads to the problem you experience?"
Outcomes	"When **X** does that, what are the specific outcomes for you? What are you obliged to do, or prevented from doing?"
Beliefs	"On such occasions, what do you sometimes imagine **X** may be trying to accomplish?"
Feelings	"When that happens, what do you sometimes feel like doing? What would you occasionally like to be able to do?"
Intentions	"How do you intend to react when that occurs?"
Actions	"As you see it, how do you actually react?"

Criteria for information selection

The information needed to produce understanding varies from issue to issue. Sometimes all of the information (actions, outcomes, beliefs, feelings, intentions, actions) is necessary. On other occasions you can get by with information about actions and outcomes.

For example, there are conflicts whose origins are recent, and where the relationship is barely affected. Relatively simple and objective information about actions and material outcomes may be adequate. This form of information exchange resembles role negotiation.

For most people, exchanging such work-relevant information is appropriate. Therefore, this is taken at the starting point. [9] It also allows the exchange of concrete information that is verifiable, at least in principle.

In this way, specific and visible acts and things are described first. Feelings, and then beliefs and intentions, are then expressed as felt or assumed actions. In effect, rather than confine yourself to one style of conflict management, you vary the style within the same process. This allows you great flexibility. [10]

As other information becomes relevant, you add it to the information requested. If feelings are relevant, you ask for information about feelings. The process is then more similar to relationship-oriented team building. If the feelings have a history, arising in the past rather than the present, you ask for information about beliefs and intentions. The process then resembles that used by Chris Argyris. [11] The criteria for deciding which information to exchange are shown in Box 6.

The rationale is that you begin with information that people will exchange freely, and is easily understood and confirmed. There are taboos or social rules — or at least some reticence — about exchanging information about beliefs about others' motives, and sometimes information about feelings. Such information is added only when the situation legitimises it. The links to concrete behaviours also help to make the information verifiable.

Type of resolution

Another dimension on which different conflict management approaches vary is in the form of resolution. Some use consensus, often called "win/win". Others use negotiation; it can be "win/lose" or, used more effectively, "partial win/partial win".

Box 6: Criteria for information selection

At first **A** and **B** each exchange information about the other person's actions, and the material outcomes for herself (usually expressed in terms of what she is obliged to do, or prevented from doing), and her reactions.

actions → *outcomes* → *reactions*

If either **A** or **B** becomes **upset**, she is then asked to add information about her emotional reaction to the information about actions and outcomes already available. This can be expressed behaviourally as what she "feels like doing".

actions → outcomes → *feelings* → reactions

If it appears that the emotional reaction has a **history**, information about beliefs and intentions are further added to the information that is exchanged. The beliefs usually take the form of assumptions about the other person's motives. The speaker can express them in terms of what she assumes the other person is trying to accomplish.

actions → outcomes → *beliefs* → feelings → *intentions* → reactions

The present approach is to use whichever form of resolution is appropriate. Consensus provides a better solution when it works. But negotiation can be effective on some issues where consensus is not possible. You choose between them by beginning with consensus, but then switching to negotiation when it becomes apparent consensus is not achievable.

- As **A** and **B** exchange information, they try to achieve by consensus a mutually satisfactory resolution within a single item at a time. That is, they try to agree on a resolution that is entirely satisfactory to both of them — and to anyone else affected by their decision.

  You can aid this process by discouraging hard positions. One or both of the people may state a very firm position that allows little room for adjustment. If so, it's useful to probe for the reasons behind the position — that is, what *benefits* would the position provide to the

person demanding it. Often, those benefits are achievable by some means other than what is currently desired.

- It may become clear that resolution is impossible because there is no outcome that seems better for both **A** and **B**. If so, they try instead to use bargaining to achieve an outcome where both are better off.

  To do this they add a second (usually related) item so that a mutually-advantageous trade is possible. It is useful for **A** and **B** to be explicit about what they really want: that is, the *payoffs* behind what they are asking for. They try to devise a resolution that, even if it is less than they really want, it leaves *both of them* better off than at present.

  You can switch from consensus to negotiation by asking the second person (the person not providing the item being considered) to offer a trade.

  > *"Is there something you would like from **A** that would make it worth your while to give **A** what she is asking you for, or some of it?"*

- If even this is not possible, **A** and **B** persist until there is clear understanding of each other's position. If this is reached, they are usually able to agree to differ. More often than not *they* are likely to regard this as in some sense a resolution.

  As facilitator, you may be left feeling that the issue is unresolved. However, it often happens that when people understand the motives behind each other's behaviour, most of the heat is taken out of an issue. Often the emotions bound up in the issue arise primarily from the motives people attribute to each other.

The criteria for resolution selection are summarised in Box 7.

At this point in the exchange you may be tempted to offer a resolution. Being more of an impartial observer, you may be first to recognise that a solution is possible. I suggest that you do not offer the solution — not unless you are very sure that both people will welcome it, and that they will act on it with commitment.

Instead, you might ask something like:

> *"Does it appear to either of you that there is some way forward — including something not yet considered — that meets the requirements of both of you?"*

Box 7: Resolution selection

Try for **consensus** At first encourage **A** and **B** to try to reach agreement by consensus on one small item.

If there is understanding without resolution, move to ...

negotiation by asking the other person to offer a trade. Continue to exchange information as you try to reach resolution. Encourage **A** and **B** to seek an outcome that leaves both people better off than at present.

If there is understanding without resolution, ...

agreement to differ usually arises naturally. Usually, when real understanding is achieved, the participants accept that the issue is not resolvable. Often they then cease to take it personally.

The overall process

To conclude the description of the five frameworks, here is an overview of the sequence of events in a typical conflict management session.

Preparation

- You conduct preliminary interviews to establish trust with participants, and to decide if both want a solution.
- When participants first come together, remind them of the three process guidelines.

Pre-session transition

- Ask the participants to prepare their lists: • the actions they hope will continue as before, • the actions they want more or less of, and • their guesses about what is on the other person's lists.

The session itself

- Begin with *positive* items — actions they are satisfied with. As they address the positive items the two participants are learning the process. They begin to exchange information. They use the procedure for information exchange to do this. At all times, you restrict them to one small item at a time.

- At first, participants exchange information about actions and material outcomes. If feelings become aroused, you elicit information about feelings. If the feelings don't arise merely from the present situation, but have a history, you add information about beliefs (intentions, and assumptions about the other's intentions).

- During the information exchange a participant may blame, criticise, demand, or make vague and general statements. If so, use statement-shaping questions to secure a specific non-blaming statement.

- The information exchange continues until either a resolution is reached, or it becomes apparent that no resolution is possible.

  For present purposes, you can assume that if each person fully understands the other person's position, and no resolution has arisen, then resolution is not possible using this system. When it becomes apparent that resolution by consensus is impossible, ask the other person to add a related item. Then try for resolution by bargaining.

  Continue with the information exchange until you are persuaded that each participant *truly* understands the other participant's position. If this fails to produce a resolution, the participants will probably agree to differ.

- It is important that you discourage participants from moving into problem solving before the relevant information has been exchanged *and understood*. On the other hand, suppose you sense that resolution is possible, but no-one has suggested a resolution. When this happens, ask each person to suggest a solution, and use the process for information exchange to ensure understanding. Then ask them to formulate a "best of both worlds" solution. [12]

- Ensure that any decisions are sufficiently detailed, and that they specify who will do what by when. Record them, preferably publicly (for instance on chalkboard or flip chart).

- Repeat the procedure for each item, alternating the participant who speaks first.

Post-session transition

- At the end of a session, review all decisions made. At this point, encourage participants to regard the decisions as *tentative* decisions, subject to later modification if necessary. Set a date for follow up and review.

  Some decisions are unlikely to work as intended when they are implemented. Your intention here is to encourage participants to realise that. Your wish is for them to approach implementation as trial and error, to discover what does work. You can think of this phase as "inoculating participants against failure".

Follow-up

- Review the consequences of the follow-up so far taken. Check that the desired outcomes were achieved for both people. Review the decisions as necessary, and plan further follow-up.

As you can see, this is a systematic approach to conflict management. It requires practice before its apparent simplicity is achieved in reality; but by giving the mediator clear processes to use and analyse, it makes for rapid and effective learning. Figures 5 and 6 provide a convenient summary of the process.

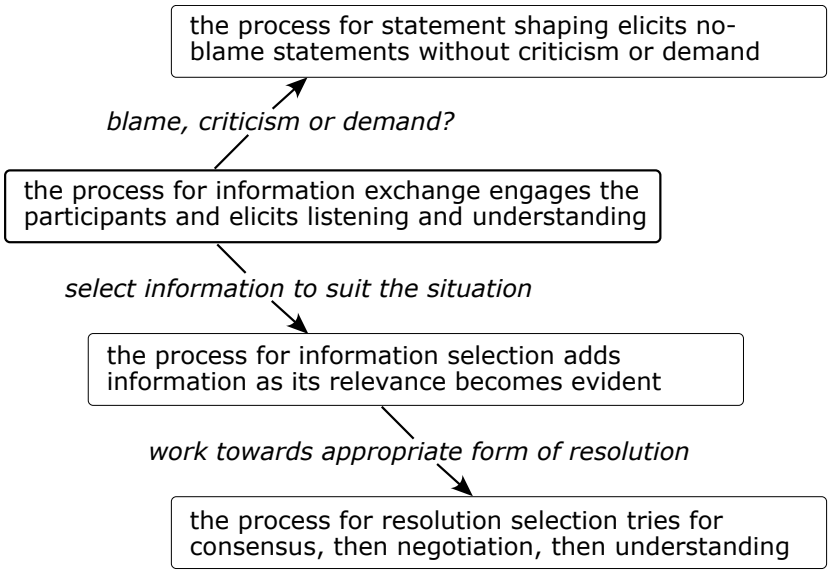

Fig. 5

Cycle inwards and outwards from information exchange as a "home base"

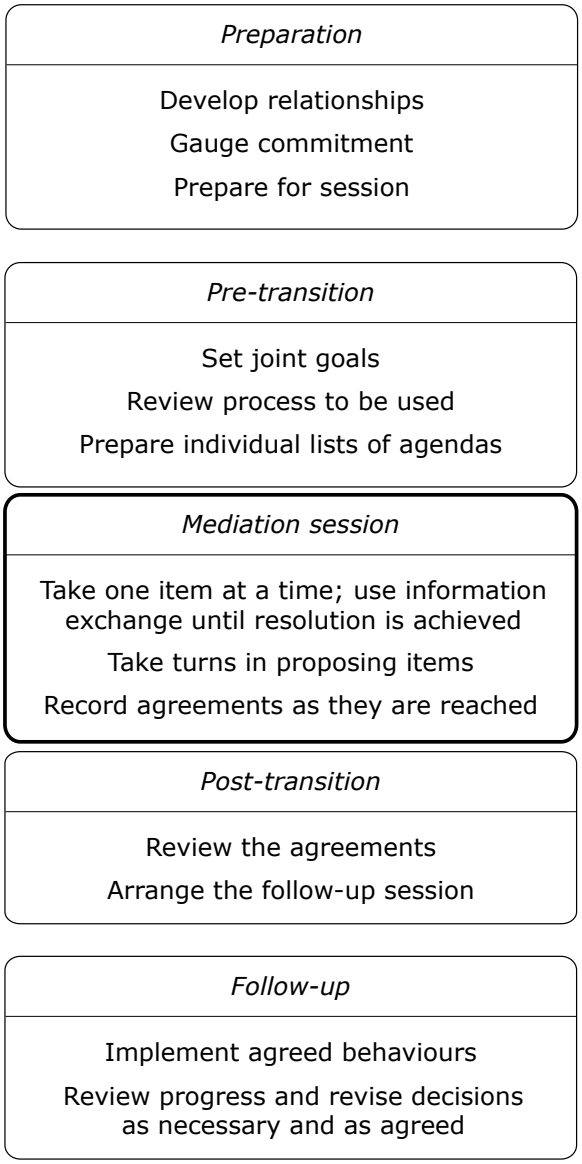

Fig. 6

A diagrammatic summary of the overall process, including preparation and follow-up

There are, nevertheless, some conflict resolution sessions that can get out of hand. For the mediator, maintaining confidence is more important than the precise processes used. To maintain confidence it helps to have some strategies as a "safety net", especially if you are a novice. You can implement them when the processes threaten to become difficult or unduly complex.

So here, finally, are the "safety-net" suggestions for coping with sessions that are threatening to fall to pieces. They are summarised in Box 8, and then described in more detail below.

Box 8: The mediator's safety net

- Focus on the information exchange framework, using it as a "home base".
- Keep the information chain in mind: actions, outcomes, beliefs, feelings, intentions, reactions.
- Stick to the process: don't try to resolve content difficulties if the process is not being followed.
- Keep to one small issue at a time. If that doesn't work, make it smaller through using examples or sub-issues.
- If that doesn't work, slow the process down.
- If all else fails, summarise what is going on and ask the participants to respond. Or, if you are too lost to do that, ask participants to provide the summary.

A mediator's safety net

Keep in mind your task, and the process for achieving it. Your task is to help participants to experience each other as genuine [13] and to develop an understanding of each other's situation. They do this by sharing all relevant information that initially is not known by both. The process for information exchange is the process that helps you to achieve this task.

When you run into trouble, take a moment to decide what point in the overall process you have reached. Then forget the rest for the moment. Concentrate on the present, and on the framework that is most appropriate.

During the actual mediation, give most attention to information exchange. You are then not so likely to get lost. The processes are fundamentally robust. Ensure that each participant eventually understands what it is really like for the other person. The relationship is then most likely to improve. This usually is true even if the issue is not resolved in any concrete manner.

Move inwards to add statement shaping or outwards to add the other frameworks as that becomes useful. When a framework has served its purpose, return to information exchange. In other words, the information exchange framework becomes a "home base". You incorporate the other frameworks into the information exchange as required.

Remember that your aim is to help participants *rebuild their relationship*, one issue at a time. To do this, bring about joint understanding of all the relevant information — actions, outcomes, beliefs, feelings, intentions, actions, outcomes, beliefs, feelings, intentions, and back to actions. Insist that actions and outcomes are stated clearly and specifically. Tie beliefs and feelings back to the actions and outcomes. Participants will then find it easier to verify each other's statements, and to understand each other.

If the two people get into difficulty over the content, it will most often be because they are departing from the process. In this event, drop the content and reaffirm agreement on the process and your role within it.

Begin with positive items — actions of which participants approve, or appreciations of each other. Use these to begin to rebuild the relationship and to accustom participants to the process. Move on to negative items when both people are using the information exchange process easily.

On all occasions, keep to one small issue at a time. If an issue is still hard to manage, deal with one specific example. Or split the issue up into sub-issues and deal with one at a time. Even if the issues are trivial, you are all the while improving the communication and the relationship. One of the longer-term benefits of this approach is that it very often improves people's ability to resolve subsequent problems without outside help.

If working with single and small issues is not enough to keep the process manageable, slow the process down. Interpose the statement-shaping questions. Take time to explain the process. Comment on the participant's observance of the process guidelines. Pause for a cup of tea and a biscuit.

If, despite this, you get lost, there are still ways of recovering. Summarise the situation as you see it, and ask participants to respond to your summary. If you are too lost to do this, ask participants to summarise the situation, and proceed from there.

Notes

1 This paper draws on a number of source documents I have prepared. They include ... Conflict resolution skills and techniques in management development, *Journal of Management Development*, 1983, 2(3) pp 42-54 and 2(4) pp 15-31; Production and sales are at it again: the Alpha Printing Company case study (mimeo), University of Queensland, undated; Learning to communicate, St Lucia: Interchange and University of Queensland Bookshop, 1986, now out of print.

I have talked over many of these ideas with too many people to identify here. Conversation with my colleagues in the Centre for Applied Behavioural Science, with the people from CORE Consulting, and the Queensland members of the Conflict Resolution Network have all triggered useful understanding. The present revision also draws on some insights I gleaned when I attended the Conflict Resolution Network's Trainers' Conference, Sydney University, 24 to 26 November 1989.

2 The field is characterised by confused terminology. On occasions mediation and conciliation are taken to mean something rather different. For present purposes I will use the terms interchangeably to mean processes for conflict management in which an independent third party guides the disputants through the process. "Alternative dispute resolution" is the term favoured by the legal profession.

3 I was somewhat surprised at the Conflict Resolution Network Trainer's Conference in November 1989 to find that many different people, drawing on an extremely varied experience, had drawn very similar conclusions about the most effective approach to mediation. Certainly, the approach described here mostly displays the same principles as the approaches of most speakers at that conference.

4 To avoid the usual unisex language, which I find cumbersome, I use feminine gender throughout. You can regard it as applying indifferently to feminine or masculine unless the context dictates otherwise.

5 In earlier versions I said neutral. At the 1989 Trainers' Conference, Adam Curle made a distinction between neutral (having no particular interest) and impartial (avoiding taking sides). Though one might argue about the actual words, this seems to me to be a distinction worth making. I find it much more effective to be open about my own views and enthusiasms, but at the same time to make a special effort to keep my own views from interfering with the process.

6 More accurately, it is as rational as it needs to be. It goes beyond rationality as the need arises. And all the while, it seeks to improve your relationship with the participants, and their relationship with each other. Purely rational processes are for purely rational people. I don't know anybody who fits that description.

7 This scenario is derived from the work of Chris Argyris and Donald Schön (1974), in *Theory in practice*, Jossey-Bass, and in several subsequent books. A relevant book published in 1985 is *Strategy, change and defensive routines* (Boston: Pitman), written for consultants and most appropriate for mediators. The model itself varies a trifle

from Argyris' formulation. "Intentions", while implicit in his work, is here made explicit. In this respect the model resembles a combination of Argyris' formulation with that of S. Miller, E.W. Nunnally and D.E. Wackman (1979), *Talking together*, Minneapolis: Interpersonal Communication Programs.

8 These are in common use. In the form I use them here, they are somewhat modified from the work of Roger Harrison (1973), Role negotiation: a tough minded approach to team development. In W. Bennis and others, eds., *Interpersonal Dynamics*, 3rd edition, Homewood, Ill: Dorsey.
On occasion the issues may be mainly relationship issues (often labelled as "personality issues", and the two people may be willing to be more direct. If so you might substitute these:
• things I appreciate about the other person
• things I dislike about the other person
• what I think the other person will say about me.
See also the following note.

9 In some situations and within some relationships you can use the same model but jump in the deep end with it as Argyris does. You can begin with beliefs and feelings, and work outward to the more tangible pieces of information from there. This is sometimes the desirable way to proceed when emotions are heightened. Expressing them may do the most to defuse them.

10 You can also use the role negotiation style of information exchange for team-building, switching into conflict resolution only when it becomes necessary.

11 As previously cited.

12 I have described one method for doing this as "option one-and-a-half" in *Helping groups to be effect: skills, processes and concepts for group facilitation*, 2nd edition, Chapel Hill: Interchange, 1991. Briefly, you ask each person to describe their preferred outcome specifically, and in detail. Working cooperatively, they then identify the advantages and disadvantages of each option. Finally, they devise a solution that achieves most of the advantages of both, with few of the disadvantages.

13 To paraphrase Sheldon Davis (in a film of a conflict session), when people experience each other as real their natural concern for each other is likely to be activated.

Resolving conflict is often regarded as a complex and difficult challenge. Conflict management is seen as one of the more sophisticated tools in the repertoire of a consultant or facilitator.

It does not have to be. *Frameworks for effective third-party conflict management* is an approach that is learnable and usable. It brings conflict management within reach of relatively novice consultants and facilitators. Used flexibly by those who are more experienced practitioners it is a valuable addition to the repertoire of any practitioner.

Frameworks for effective third-party conflict management achieves its results by breaking the complex processes of conflict management into five frameworks. Each of the frameworks is robust and learnable. Used in conjunction, the five frameworks form a dynamic and constructive process. It is flexible enough to deal with the complexity of conflict. It is robust enough to work well even in the hands of relative novices.

This brief document describes each framework briefly and clearly. It explains how the frameworks, when combined, form an effective overall process for helping to resolve conflicts and for rebuilding fractured relationships.

Bob Dick is a consultant and an occasional academic with over four decades of experience of helping people achieve their goals. He has a reputation for designing learnable processes and helping people to learn how to use them.