

**INTERNATIONAL  
FEDERATION OF  
UNIVERSITY  
WOMEN**

**WORKSHOP ON  
CONFLICT RESOLUTION**

*Participant Workbook*



# WORKSHOP ON CONFLICT RESOLUTION

## *Participant Workbook*

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## **FROM THE IFUW PRESIDENT . . .**

It is my pleasure to introduce this IFUW Guide to Conflict Resolution. IFUW was founded in 1919 to promote international understanding and peace. The promotion of peace in its widest context has always been an underlying aim of all IFUW activities. In today's society, women continue to have a critical role to play in reducing the conflicts between nations, communities and individuals. IFUW has long recognized that women excel as peace makers, negotiators and participatory leaders.

IFUW is aware that few women have opportunities to receive training in conflict resolution. Yet, there are a number of skills that can be easily learned that will assist in reducing or solving conflict. This Workbook and Facilitator's Guide provides a simple and inclusive course that can be offered to IFUW members, our partners in the Five-0 Coalition (Business and Professional Women International, International Council of Women, Soroptimists International and Zonta International) and others who would benefit from this opportunity.

The Workbook contains information to help the participant understand conflict as well as interactive exercises to help participants practice the skills needed to resolve conflicts. The major skills include those needed for Assertive Communication, Active Listening, Negotiation and Mediation Skills.

The Facilitator's Guide includes sample lesson plans, suggested timeframes and instructions for facilitators on how to present mini-lectures, and set up tasks and exercises for the participants. Sample overheads are included.

IFUW welcomes any questions, feedback or suggestions on the use of this resource.

We wish all those using this Guide every success.

*Linda Souter, IFUW President 1998-2001*

### **ACKNOWLEDGEMENTS**

*The International Federation of University Women (IFUW) expresses appreciation to the **Guggenheim Foundation** for the generous grant enabling the Regional Conference of the Federation of University Women of Africa (FUWA) to take place in Cape Town, South Africa, in January 2000.*

*During the Conference IFUW and FUWA organized a two-day workshop on Conflict Resolution Skills and Techniques. This workshop was a pilot project to train participants not only in skills for conflict resolution but also to teach them how to run such workshops in their own countries.*

*The contents of this Participants Workbook and the Facilitators Guide were tested during the workshop and are now available for all IFUW's national affiliates and other groups.*

# **Module 1      Introduction to Conflict Resolution**

## **Introduction**

As in personal life, conflict in organisations is a normal thing. It is nothing to be ashamed of or embarrassed about -- in fact, conflict contributes to the health of organisations, workplaces and community. In today's environment of competing interests and diversity of needs, many leaders need additional skills in order to address conflict constructively.

Today's climate of constraint and competition has a way of increasing tension and reducing the energy available to work on the mission, goals and objectives of an organisation. Delivery of programs and services suffer, as organisations become concerned with survival. Tensions and conflicts tend to build up in a climate of constraint, with unrealistic expectations and inadequate resources, i.e., the "do more with less" syndrome.

Internal conflict and lack of cooperation are probably the biggest issues facing most Non-Government Organisations (NGO) today. Whether the conflict is between the board and staff, board and executive, national and regional and local entities, different geographic regions, different topical areas, e.g., research versus education, conflict is taking energy away from effective leadership and management of the organisation.

Conflicts will develop. How we deal with them is what is important. Cultural differences play a significant role here. Personal and cultural values have an impact on both perception of conflicts and the methods used to solve them. Certain approaches or techniques do not always work, nor do they work in every culture. Not all conflicts can be resolved. This practical, skills development workshop is designed for leaders to help them better identify and understand conflict, how to resolve it, how to establish a climate of cooperation and to be aware of and recognise cultural differences and needs.

In this workshop, participants have an opportunity to work on skills and techniques that can help them deal more effectively with conflict. How we respond to a conflict or potential conflict can determine whether it is prevented, resolved or allowed to escalate into an all-out dispute.

You may choose to work as an organisation or individually. Regardless, the workshop will be most useful if you work on 'real and relevant' situations. It will help you realise that regardless of differences in religion, race or culture, people everywhere share the same basic need for acceptance and being understood – a need that, when unmet, is at the bottom of virtually every conflict.

“Little is attained without constructive management of conflict.”

“View differences of opinion as opportunities to learn rather than obstacles to overcome.”

## 2 Conflict Resolution Theory

Too often, conflict is seen as negative, something to be avoided. This is not true - it can be both constructive and destructive:

*Conflict is Constructive* when it results in clarification, serves as a release to pent-up emotions and stress; when parties understand each others needs, and use the conflict to build cooperation and trust

*Conflict is Destructive* when it diverts energy, polarizes groups and deepens differences; parties take 'either - or' positions, believing their way is right and develop negative feelings toward each other

Conflict is neither good nor bad. It is part of human nature and to be expected when humans interact. Conflict can provide opportunities to learn new skills, develop problem-solving abilities, and infuse energy. If unresolved, conflict grows, so it is important to recognize symptoms and address a conflict early -- before it becomes destructive.

Initially, people begin to consider that there may be differences of opinion on an issue. A healthy organisation addresses differences immediately to prevent them from expanding into an unexpressed sense that there is disagreement but no one is talking openly about it. If the conflict is not open for discussion, people will discuss it in informal situations, building mis-information, positions and factions. It is critical that the conflict is dealt with openly and fairly before emotions get too high and people too entrenched in their positions.

Some key messages about conflict are:

Conflict is neither good nor bad

Conflict is inevitable

Conflict does not have to result in winners and losers

In conflict both parties tend to believe that their opinion is fact

Too often both parties see themselves as innocent victims who represent the side of truth and fairness

Too often both parties perceive all destructive acts carried out by others completely blind to identical acts carried out by self or those on 'my' side.

## Exercise 1: Difference in Perceptions of Conflicts

Please answer the following questions by circling the statements closest to your feelings and beliefs. There are no right or wrong answers.

- a) Circle the statement(s) that best expresses how you perceive or feel about conflict?
1. Conflict is unnatural
  2. Something is wrong with people who are causing conflict
  3. Conflict is part of our daily life
  4. Conflict may be exciting and should be welcome
  5. Conflict must be quickly and necessarily resolved
  6. Conflict can be positive and constructive. Conflict is a virtual necessity for growth and change, for individuals and groups
  7. Conflict can be understood only within the context in which it occurs
  8. Most conflict takes place within the context of an interpersonal relationship.
- b) What statement(s) best describes how you feel conflicts should be expressed?
1. Conflict should be expressed as soon as possible in order for it to disappear
  2. Expression of a conflict only worsens things – it is better to keep it to yourself
  3. Conflicts are a private matter and should be resolved in private
  4. Conflicts may enrich people and should be resolved publicly
- c) Which statement(s) best describes how you feel about expressing emotions during conflict situations?
1. Expression of anger is the best way to get to resolving the conflict
  2. It is terribly unpleasant when people cry or yell during meetings; therefore it is important to avoid emotions and keep them calm
  3. Emotions often cloud the case and, therefore, should not be expressed
  4. Emotions disable logical thinking and weaken the position of the parties
  5. Emotions strengthen a party's position
  6. People have to express their emotions before they can go on with resolving the conflict.

There are no right or wrong answers. Your responses to the above statements are greatly influenced by your background and culture. How did your cultural background influence your perceptions? Could you give an example of how people resolve conflict in your society as expressed in a proverb, saying, or song?

### 3 Sources of conflict

Conflicts have various sources, such as: material goods, principles, territory, communication, policies, process and/or personalities. We can categorise them as *instrumental conflicts*, *conflicts of interest*, and *personal/relational conflicts*.

*Instrumental conflicts* concern goals, means, procedures and structures.

*Conflicts of interest* concern the distribution of means such as money, time, staff, and space, or concern factors that are important for the distribution of these means, such as importance, ownership, competence and expertise.

*Personal conflicts* are about questions of identity and self-image, and important aspects in relationships. *Relational conflicts* may center on loyalty, breach of confidence, lack of respect, or betrayal of friendship.

It is important to define the source of the conflict before deciding how to resolve it. Resolving is not always easy. Parties can sabotage efforts and cause conflict to escalate. Analysing conflict is an important step before deciding on the strategy for resolving the conflict.

#### Exercise 2: Sources of Conflict

Take a few minutes to identify common causes or sources of conflict in your organisation/community. Check any of the following common examples that are relevant, in addition to listing others:

- Short-term pressures versus long-term goals
- Differing perceptions, values, cultural norms
- Ambiguous jurisdictions; lack of clarity; competition for limited resources
- Needs such as power, status, ego, recognition, self-worth
- Parochial and regional attitudes
- Change - some not wanting to let go of the old; others moving too quickly

Other Sources

- \_\_\_\_\_  
\_\_\_\_\_

Share the sources of conflict with others to determine what are perceived as the most common causes of conflict in your organisation. Discuss whom the conflict is between, i.e., are there groups which commonly have conflict with one another?

#### 4. Methods of Resolving Conflict

Chart 1 on page 7 describes the five most commonly used methods for resolving conflict and when each method is appropriate, or inappropriate to use. Different situations require different methods. The usefulness of each method depends on context, issue, goals trying to achieve, and the relationship between parties. However, collaboration is preferred, if possible, because this results in a win for both or all parties.

##### **Exercise 3: Which Methods?**

Have you used any of these methods in working through conflict in your organisation/community? Review conflicts you have experienced and decide if any of these methods would assist you in resolving the conflict.

Now, as a group, select a conflict that you will use as an example as we work through information, skills and techniques on resolving conflict.

##### **Exercise 4: Describing a Sample Conflict**

What is the Conflict?

What is the cause of the conflict?

What have you done to date to resolve the conflict? (see chart)

What is the result or outcome of what has been done to date?

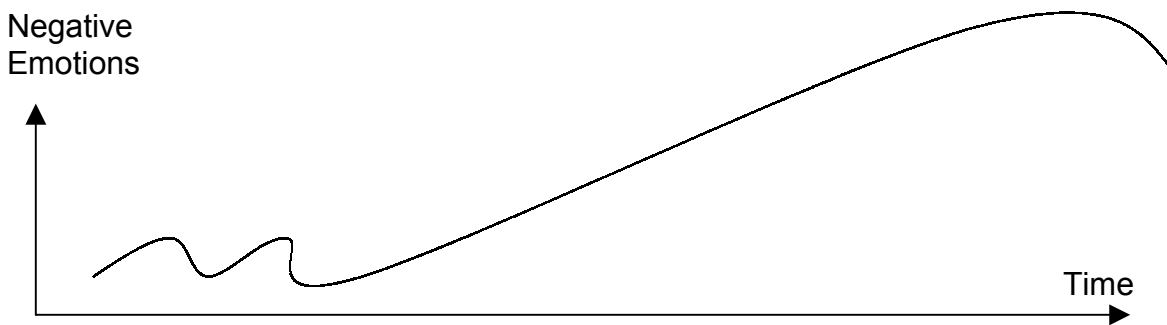
**Chart 1: Basic Methods for Resolving Conflict**

<b>Methods</b>	<b>What Happens When Used:</b>	<b>Appropriate to Use When:</b>	<b>Inappropriate to Use When:</b>
Power or Compete (FIGHT)	One's power, position or strength settles the conflict. I'm OK, you're not OK	When power comes with position of authority and this method has been agreed upon	Losers are powerless to express themselves; their concerns
Collaboration (FACE)	Mutual respect and agreement to work together to resolve results in I'm OK, You're OK	Time is available; parties committed to working together as we versus the problem, not we-they	Time, commitment and ability are not present
Compromise or Negotiation	Each party gives up something in order to meet midway, often leaving both parties dissatisfied we're both sort of OK	Both parties are better off with a compromise than attempting a win-lose stance	Solution becomes so watered down that commitment by both parties is doubtful
Denial, Avoidance (FLIGHT)	People just avoid a conflict by denying its existence I'm not OK; you're not OK	Conflict is relatively unimportant, timing is wrong, a cooling off period is needed	Conflict is important and will not disappear, but will continue to build
Accommodating, Smoothing Over (FREEZE)	Differences are played down and surface harmony is maintained. you're OK, I'm not OK	When preservation of the relationship is more important at the moment	If smoothing over leads to evading the issue when others are ready to deal with it

## 5. Conflict resolution continuum

Understanding the conflict resolution continuum can assist individuals in understanding how important it is to address a conflict early – rather than letting it escalate. The evolution of a conflict usually starts with a difference of opinion. Open expression and discussion of differing opinions at that time can often diffuse the conflict. If the conflict is left unattended, the conflict builds, factions may be formed, positions may become entrenched, and it becomes very difficult for the parties to resolve the conflict without external help.

**Chart 2: Evolution of a Conflict**



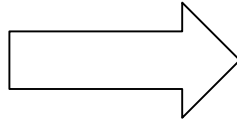
Symptom of Conflict	Discord Conflict	Taking Sides	Separation Isolation	Destruction	Disappointment Fatigue

Addressing conflict early allows the individuals involved in the conflict to control the outcome, and their own destiny. **Negotiation** offers most control over the conflict and the outcome because the parties work together to resolve the conflict. If the parties cannot work together to resolve the conflict, they may use **mediation**, i.e., a neutral third party who helps the conflicting parties. The mediator does not resolve the conflict but guides the parties to develop their own solution(s). If mediation does not work, **arbitration** becomes the next option, i.e., an arbitrator is appointed to decide the outcome, thus taking the decision out of the hands of the conflicting parties. If arbitration does not work, the final process for resolving the conflict is **adjudication**, or the justice system, in which a judge or jury decides the outcome.

The importance of addressing a conflict early cannot be overemphasized. Early action ensures more control and involvement by the parties affected by the conflict.

**Chart 3: Conflict Resolution Continuum**

Individuals involved in the conflict have more control over outcome



Individuals involved in the conflict have less control

<b>Negotiation</b>	<b>Mediation</b>	<b>Arbitration</b>	<b>Adjudication</b>
discussion between two parties, working toward reaching agreement, without assistance	a voluntary process with an impartial third party helping disputing parties to reach a mutually beneficial agreement	using an independent third party to settle a dispute; third party determines a binding settlement	conflict is resolved using the justice system with judge &/or jury

In Module One, conflict has been described, difference in perception of conflicts addressed, sources of conflicts and methods for resolving conflicts outlined and the continuum for conflict resolution presented. In addition, groups of participants have described a conflict situation that they may use throughout the rest of the workshop.

The workshop now offers skills to help resolve conflict, including assertive communication skills, negotiation and mediation skills and process.

## **Module 2 Assertive Communication**

Each person has the right to be treated with respect, the right to have and to express feelings, opinions and 'wants', the right to be listened to and taken seriously by others. Too often in conflict situations, these rights get ignored. Assertive communication is critical in resolving conflicts so that all parties win.

There are two important skills in effective communication: assertive behaviour, i.e., clearly expressing what you feel and saying what you want; and active listening, i.e., listening in an understanding, non-judgemental and supportive way

There are a variety of behavioural styles of communication: passive, aggressive, passive-aggressive, and assertive. Although any of these behaviours may be appropriate in certain circumstances, the assertive style offers the most effective behaviour for dealing with and reducing conflicts. Individuals treat each other with respect and an attitude that says "I'm OK; you're OK", and the usual result is that both parties have a feeling of having benefited from the encounter. Assertive behaviour is the basis of resolving conflict in a collaborative way.

### **Characteristics of Communication Behaviours**

#### **1. Passive Behaviour**

A passive person says, in effect, that he or she will let someone else decide what will happen to him or her. Passive behaviour is revealed when we:

1. Don't participate or share our thoughts and ideas
2. Always stick to middle-of-the-road, refraining from taking a stand
3. Allow others to make decisions for us
4. Keep our voice low &/or avoid eye contact; keep from calling attention to ourselves
5. Verbally agree with others despite our real feelings
6. Bring harm or inconvenience to ourselves to avoid harming or inconveniencing others
7. Consider ourselves less knowledgeable or capable than others.

#### **2. Aggressive Behaviour**

The aggressive behaviour of response is essentially the complete opposite of passive. An aggressive behaviour is revealed when we:

1. Interrupt others when they are speaking
2. Try to impose our position on others
3. Make decisions for others
4. Accuse, blame and find fault with others without regard for their feelings
5. Bring harm or cause inconvenience to others rather than to ourselves
6. Consider ourselves stronger and more capable than others
7. Accept responsibility and positions of authority for the purpose of manipulation or to give us a means of influencing others

### 3. Passive Aggressive Behaviour

Obviously, passive-aggressive behaviour is a combination of the two previous behaviours. Passive Aggressive Behaviour is revealed when we:

1. Don't participate and share thoughts when it is appropriate, e.g., in a meeting, but become very vocal when the issue can no longer be addressed, e.g., in the back room or with one or two people
2. Deny people an opportunity to deal with dissent since opinions not expressed openly are difficult to deal with openly
3. Whisper or exclude some people from hearing your point of view; or make side comments that all cannot hear and no one can respond to since the comments were not addressed to the entire group.

### 4. Assertive Behaviour

Assertive behaviour, in contrast, is self-enhancing because it shows a positive firmness. Assertive behaviour is revealed when we:

1. Allow others to complete their thoughts before we speak
2. Stand up for the position that matches our feelings or the evidence
3. Make our own decisions based on what we think is right
4. Face problems and decisions squarely
5. Consider ourselves strong and capable, but generally equal to other people
6. Face responsibility with respect to our situation, our own and others' needs and rights.

There are three steps to communicating assertively. The simple steps are:

#### **Three Steps to Assertive Communication:**

1. **Describe** the situation or idea as clearly and specifically as you can.
2. **Express** how you feel about the situation. (Note: Use "I" or "My" statements to refer to how you are feeling and what you are thinking.)
3. **Specify** what you want. Include a specific deadline.

For example, someone has pushed in front of you in a line for a bus. If you choose to respond assertively, the following dialogue is appropriate:

**Describe** the situation: “Excuse me. There is a line-up here of people who all want to get onto the next bus. Some of us have been waiting for over an hour.

**Express** how you feel: I find it frustrating that you just push into line without concern for others and their needs to get to work on time.

**Specify** what you want done: I think it is only fair that you go to the end of the line and wait your turn with the rest of us.

This is just a simple example if one decides to use the assertive behaviour. In this case, if the interloper is large, mean, has lots of friends, or is carrying a weapon, passive behaviour might be more appropriate for the situation. Here are some situations to practice assertive behaviour.

### **Exercise 5: Practicing Assertive Behaviour**

In twos or threes, select one of the following situations, or others from your own circumstances and role play the situation with one person practicing Assertive Behaviour. Once the role has been completed, get feedback from your partner, then switch roles and situations. Remember to model the three steps of Assertive Behaviour.

- Someone has pushed into the queue/line in front of you.
- Someone you respect has expressed an opinion with which you strongly disagree.
- Someone in your organisation has a specific complaint that they won't let go, even though it has been dealt with several times.
- A friend has betrayed your confidence or hurt you.
- A person in your organisation is constantly talking about another member behind her back. This is divisive and destructive to your organisation.

List other situations in which you can practice assertive behaviour:

## Active Listening Skills

Active listening is essential to successful conflict resolution. Here are some characteristics of listening actively:

- Listen in an understanding and supportive way, using your whole body, not just your ears.
- Listen for the whole message by paying attention to body language, feelings, the meaning of what is said and what is not said.
- Do not prejudge because of previous history, dress, accent or other irrelevant characteristics.
- Do not interrupt the other party. We can listen three to five times faster than someone can talk.
- If you disagree, do not become aggressive. Restate the other party's comments, present your point of view, and return the dialogue to the other party by asking for a reaction to your views.  
(NOTE: cultural norms of different nations and societies vary greatly and thus have a major influence on the skill of active listening)

## Active Listening Techniques

- 1) **Attending:** using non-verbal indicators such as leaning forward, nodding your head, sitting in an open, receptive posture
- 2) **Paraphrasing:** repeating in your own words what the other person has said; the restatement should not judge in any way
- 3) **Speaking** from the self: using "I" statements, rather than speaking for others (we all think) or speaking in the passive tense. Do not make assumptions about others, their opinions, and feelings.
- 4) **Clarifying:** asking for further clarification or an example to illustrate often helps find clarity in the meaning.
- 5) **Asking:** probing questions; identify and explore options and alternatives e.g., use probes - short, open questions to dig deeper into issues. May be non-verbal such as a look that asks "Then what/ How?" Silence can be used to encourage the speaker to continue.
- 6) **Encouraging:** asking person to "tell me more about" or give them a supportive comment like "good idea" or "I like that approach".
- 7) **Reflecting:** playing back the communication as you hear and feel it, e.g., "you seem to feel very strongly about that"
- 8) **Summarizing:** giving back a review or summary of what you heard. This helps make sure the communication is accurate and that the main ideas expressed reached you, the listener.

## Exercise 6: Practicing Active Listening

In pairs, select a topic and carry on a dialogue with one person beginning the discussion and the partner practicing listening actively. Then change roles from speaker to listener. Give each other feedback on listening skills.

## Module 3 Negotiation Skills

Negotiation consists of discussions between two or more parties around specific issues for the purpose of reaching a mutually satisfactory agreement.

Everyone is a negotiator. It is an everyday occurrence. Life is an endless series of interactions that require negotiation. You are confronted daily with countless situations in which you are called upon to negotiate, to reach an agreement, or to resolve a conflict or difference of opinion (e.g., negotiate bedtime with children; holiday or vacation destination with family and/or friends). The issue is not whether you negotiate, but rather how effective you are. Negotiation is a skill that can be improved with practice.

Traditionally, negotiation has been seen as adversarial or confrontational, e.g., talk tough and see how much you can get. This negative attitude to negotiation is deeply embedded in many cultures. Most books and courses on negotiation focus on the adversarial relationship modeled after corporate takeover and hostile mergers of companies.

This workshop is about win-win - not battles, wars, opponents and win-lose. Successful negotiators do not try to 'win at all costs'. Win-win negotiation is an approach to negotiating that stresses common interests and goals. By working together parties can seek creative solutions and reach decisions in which all parties can win.

The rest of Module 3 outlines four basis skills for becoming an effective negotiator, including: 1. Understanding Yourself; 2. Defining Outcomes; 3. Understanding and Defining Positions; and, 4. Framing and Reframing.

### Skill One: Understanding Yourself

#### **Exercise 7: Understanding Yourself**

Probably the most important skill for an effective negotiator is a clear understanding of oneself. With a particular conflict in mind, answer the following questions about yourself as honestly as you can and prepare a brief paragraph describing yourself in a negotiation. Select a partner and tell them.

- What are my strengths? limitations?
- Am I a good listener?
- Where am I psychologically vulnerable? emotionally vulnerable?
- What are my prejudices and biases?
- What kind of climate do I create in negotiations?
- How do I define "fair"?
- What are my needs during negotiation?

**As a result of this exercise, I am making the following  
Notes to Myself**

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## Skill 2: Defining Outcomes

### Exercise 8: Defining Outcomes

A second key skill for effective negotiating is understanding your own 'bottom line', i.e., least acceptable outcome for you. Using your sample conflict (or another example, if appropriate), determine your best outcome and your least acceptable outcome. You may wish to speculate on the same questions from the other party's point of view.

**My Best Outcome**

**My Least Acceptable Outcome**

**Other Party's Best Outcome**

**Other Party's Least Acceptable Outcome**

## Skill 3: Understanding and Defining Positions

### Exercise 9: Understanding Positions and Interests

A key technique in negotiation is understanding the difference between positions and interests, thus going beyond position to determine the underlying interests. A *position* is an option that one party is committed to as a solution to the conflict. An *interest* is the concerns, needs, and/or desires underlying the conflict, i.e., why the conflict is being raised.

For example, the Board has made a decision not to circulate minutes of meetings to members. This has resulted in anger and feelings of secrecy and lack of trust.

	<b>Board</b>	<b>Members</b>
<b>Position</b>	No circulation of minutes to members	Board must circulate minutes or appear to be hiding something
<b>Interests</b>	Retain confidentiality on certain issues	To know what is happening in their organization

Using interests rather than positions, the resolution was very simple. The Board circulated the minutes, with any sensitive or confidential issues being handled "in

Camera". The minutes just contained two motions that the Board went in camera and came out of camera.

Using your sample conflict, identify the positions and interests of both parties of the conflict.

	<b>Mine</b>	<b>Theirs</b>
<b>Position</b>		
<b>Interests</b>		

**Why are these positions different?  
Is there common ground around interests?  
Are there potential win-win solutions?**

### **Moving from Positions to Interests**

Unfortunately most people tend to form their positions early. The longer a conflict goes unresolved, the more entrenched are the positions. In order to change peoples' focus from the position they support to their underlying interests there are many suggested techniques.

- Be vocal about your desire to find a solution that benefits all parties.
- Be clear about your own needs and interests, rather than your position.
- Discuss how important the solution is to the party. Use this discussion to identify problems and interests hidden behind stated positions.
- Do not answer stated positions by giving your own position. This will often result in two intractable positions that cannot be discussed.
- Reframe the problem so that you can emphasise compatibility of interests or a possibility of reaching some gain.
- Offer several different positions to consider than may respond to the interests of all parties.
- Emphasise that all options deserve further examination in order to see how they satisfy the interests of parties.

#### **Skill 4: Framing and Reframing (Stating and Restating Issues)**

Many conflicts result from lack of clarity around the issue. An important skill is being able to frame or state issues so all can understand and agree to work together to find a common solution.

Framing is a skill that needs practice. Often when trying to frame an issue with accuracy as people see it and without bias, several attempts are made until parties agree with the description. The following present some guidelines for effective framing:

1. Always frame using neutral language. Use objective and blame free language. For example, “We are here discussing the failure of party A to pay their membership” (blaming). “Let us begin our discussions about non-payment of membership dues” (neutral and factual).
2. Move participants from positions to interests
3. Defuse hostilities
4. Try to clarify the issue from a neutral, third party perspective
5. Deal with one issue at a time
6. Get agreement that both parties want to resolve the issue
7. Be short and concise
8. Frame, don’t solve

Once the issue has been framed to the satisfaction of both parties, in a clear and neutral manner, resolution becomes much easier. As discussion progresses and opinions and positions change, it is appropriate to reframe the issue in order to ensure everyone continues to focus on the same points.

#### **Exercise 10: Framing and Reframing Issues**

Using your sample conflict, identify the key points you think should be included in a framing of the issue.

## Module 4      Mediation

Mediation is the intervention of an acceptable and impartial third party in a dispute. The difference between negotiation (when the parties worked together to resolve the conflict) and mediation is a third party, the mediator, helps parties reach an agreement. Mediation brings people together to talk about their conflict and accept responsibility for finding a solution together.

### 1 Characteristics of Mediation

- Voluntary participation by all parties
- Face-to-face discussions
- Mediator is unbiased and does not have any decision making responsibility
- The mediator helps each party understand the issue and the other parties' perspective
- Each party has the same opportunities - to speak, to present facts and perceptions, to be heard
- All relevant information is shared
- The agreement is accepted by both parties, having been reached jointly

### 2 Role of the mediator

The mediator:

- Is an expert, who is helping people having a conflict to reduce their differences
- Listens to all opinions during the dispute
- Helps to clarify parties' statements and positions
- Is impartial
- Does not blame anyone, is neutral and objective
- Does not present his/her personal opinion
- Compiles all information in a way that lead to success, if possible
- Writes a mutually acceptable agreement that is specific, measurable, attainable, realistic and timed.

### 3 Mediator skills

A successful mediator has specific skills:

- **Active Listening:** using both verbal skills and non-verbal behaviour to express her attention to what is being said and showing that she understands the content.
- **Looking for facts:** have both parties describe the situation and ask open-ended questions that do not contain any judgment nor criticism.
- **Identification of controversial points:** state the obvious points of controversy as well as underlying emotions or needs. It is often difficult for conflicting parties to say these points.
- **Be able to reframe controversial points** in such a way that the tension and blaming are reduced.
- **Facilitate the agreement** by assisting parties in identifying solutions to controversial points, and prioritise for action.

## Tips for Mediators

- 1 Mediators should push each of the parties into the other parties' "shoes" so they may see what the situation looks like from other party's point of view
- 2 Sometimes it is important to slow down, in order to give one of the parties more time or to give time for the mediator to decide how best to continue.
- 3 It is very important to retain the confidence of both parties. Mediators should spend equal amount of time with each party and respond fairly to the concerns of each party.
- 4 The mediator may push someone a little if they are being unreasonable. However, rather than telling one party that something is unreasonable, the mediator should ask the party what they would consider a reasonable outcome and then ask if they think the other party would agree with such evaluation. This is called "reality control" and it helps to see whether the perception of all parties is realistic.
- 5 If a confidence is broken, an apology is essential and can help start building a new confidence. Sometimes it requires mutual apology, sometimes not.

## 4 Types of Disputes

You could be asked as a mediator to act in various types of disputes. The following guide may help in deciding whether to accept the role of mediator. The following characteristics should be in place:

- 1 Both parties have an interest in resolving the matter.
- 2 Parties have certain common feeling of responsibility for their conflict.
- 3 Various solutions are possible.
- 4 Both parties agree to participate in the mediation
- 5 Parties are capable of effective communication at least at the minimal level so that they may exchange information.
- 6 Most mediators think that cases with the potential of serious violence are not suitable for mediation.

## 5 The Mediation Process

Steps in Mediation	Key Points for Implementing the Step
<b>1. Preparation</b>	<ul style="list-style-type: none"><li>• Role of the mediator - helping participants to resolve their problem; participants think of solutions and how to agree; mediator guides the process for this to happen</li><li>• Mediator is an impartial person.</li><li>• Both parties' participation is voluntary.</li></ul>

	<p><b>Basic rules of communication</b></p> <ul style="list-style-type: none"> <li>• only one person speaks at a time; others are quiet and listen</li> <li>• if the parties argue, abuse or beat each other, the mediator has the responsibility to stop them - the mediator protects all parties</li> <li>• Confidentiality: what occurs during mediation is confidential and not be spoken about with others unless both parties agree to do so</li> </ul> <p><b>Separate meetings</b></p> <ul style="list-style-type: none"> <li>• When the mediator decides or one party requests, it is possible to have separate meetings with each party</li> </ul>
<p><b>2. Reconstruction of the Conflict</b></p>	<p><b>Task of mediator:</b></p> <ul style="list-style-type: none"> <li>• Agree on sequence of parties speaking (according to the parties' wishes)</li> <li>• Listen actively to the telling of their story</li> <li>• Write down complaints, questions, and positive statements about the other party</li> <li>• Clarify, what each party wants to achieve, (i.e., what are the interests, needs)</li> </ul> <p><b>Procedure</b></p> <ol style="list-style-type: none"> <li>1. Every party takes a turn in describing briefly the conflict</li> <li>2. Mediator briefly summarises main points, by framing the conflict in a neutral non-blaming manner</li> <li>3. Mediator then checks to ensure the main points have been correctly understood (test the reality)</li> <li>4. If the conflict has more than one problem, write them down. Propose the order in which the problems should be discussed</li> <li>5. Name the positive points of the mediation, e.g., (willingness to cooperate, attendance at the meeting, commitment to a common cause)</li> <li>6. Name the emotional problems (anger, disappointment, distrust). Be honest and frame comments with no biases.</li> </ol>
<p><b>3. Definition of points of dispute and agreement</b></p>	<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>• Begin to look at each other as human beings</li> <li>• Move from focus on the past to focus on the future</li> <li>• Work on understanding the other's position</li> <li>• Move from personal attacks to resolving a common problem</li> </ul>

	<p><b>Techniques for the Mediator</b></p> <ul style="list-style-type: none"> <li>• Paraphrase - tell the essence of the story in your own words</li> <li>• Appreciate - the feelings of each party and their willingness to resolve the dispute</li> <li>• Reframe demands and requirements into neutral language</li> <li>• Summarise – provide a synopsis of point made and agreements to date</li> </ul> <p><b>Tips on Procedure</b></p> <p>If necessary, take a break  Verify with the parties whether their understanding of the dispute agrees with your framing of the dispute  Propose to resolve the easiest and most “neutral” dispute point</p>
<p><b>4. Creating acceptable options for agreement</b></p>	<p><b>Steps:</b> Start with the simplest problems and facts</p> <ol style="list-style-type: none"> <li>1. Brainstorm potential solutions or options (without evaluation)</li> <li>2. If necessary, establish objective criteria with all parties in order to evaluate options for solutions</li> <li>3. Define the importance of these criteria in order to select the best options</li> </ol> <p><b>Tips for the mediator</b></p> <ul style="list-style-type: none"> <li>• Make sure participants cover all parts of the problem</li> <li>• Encourage all parties to create solutions</li> <li>• Ensure parties to participate equally in the number of proposals developed</li> <li>• Build linkages among different proposals</li> <li>• Verify which solutions suit both parties</li> <li>• Let the parties chose solutions that suit them</li> <li>• Guide the parties to choose one solution</li> <li>• Fine tune the proposed solutions together</li> </ul>
<p><b>5. Forming an Agreement</b></p>	<p><b>Agreement should be SMART:</b></p> <p><b>S</b>pecific (concrete)  <b>M</b>easurable  <b>A</b>ttainable (feasible)  <b>R</b>ealistic  <b>T</b>imely</p>

	<p><b>Procedure for an Agreement</b></p> <ul style="list-style-type: none"> <li>• Write the proposal down, in neutral language and read it aloud</li> <li>• Record individual points on the draft agreement separately</li> <li>• Avoid general or vague points</li> <li>• Describe concrete behaviours, activities and timelines that parties are supposed to perform</li> <li>• Avoid getting trapped in 'legalese' or 'lawyer-speak'</li> <li>• Have both parties sign the agreement</li> </ul> <p><b>Closing the meeting when agreement is reached</b></p> <ul style="list-style-type: none"> <li>• Praise participants of the parties on this meeting</li> <li>• Designate deadline for another meeting with the parties, if necessary</li> <li>• Summarise the progress, result and any next steps</li> <li>• Adjourn the meeting</li> </ul> <p><b>In case of no agreement</b></p> <ul style="list-style-type: none"> <li>• Positively summarise what was achieved and what occurred</li> <li>• Identify remaining difficulties and options</li> <li>• Agree upon next steps, if any, and your openness to continued involvement</li> <li>• Praise participants for their participation</li> </ul>
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### Checklist for the Mediator

- Did you summarise the positions and interests of each party?
- Did you encourage parties to put themselves in the other party's place?
- Did you request information on basic expectations, or needs and interests?
- Did you investigate the positions, requirements, assumptions, and goals?
- Did you discuss the significance/implications of not reaching agreement?
- Was there an individual meeting with the parties?
- Did you get both parties to focus on the future instead of the past?
- Did you propose methods for reaching agreement?
- Did you attempt to soften the hostile exchange of opinions?
- Did you protect all participants from abuse by others?
- Did you use humour?
- Did you identify areas where there was common ground between parties?
- Did you ensure all disputed issue were covered?
- Did you suggest that the meeting would be confidential?
- Did you prepare a final written agreement, signed by all parties?

## 6 Transcultural Mediation

Mediation in a situation where different cultures and backgrounds are present brings a whole new set of skills for the mediator.

**Know yourself:** Your personal and cultural values have an impact on the mediation process, on the behaviour of the parties and thus on the results.

**Know the parties:** If the values and cultural traditions/customs differ from yours, it is important to get to know them before you start. Prepare yourself by consulting an expert.

**Know that approaches or techniques do not necessarily work in every culture:** Be flexible in your way of working and try to adapt your techniques to culturally defined ways of dealing with conflict. Passive and aggressive behaviour is strongly influenced by culture. Assertiveness of one party could be unacceptable to others. Weakness or passivity could be a valued strength in one culture, but thought to be a weakness in another culture.

Be aware as a third party of what your own basic values are and of what is alien to you. If not, you risk deepening the conflict by influencing the parties to accept solutions that are alien to them. You might end up becoming part of the dispute instead of being the mediator.

### Tips for mediators in transcultural disputes.

In your preparation for the mediation ask the following question:

- Who is usually the mediator in that party's culture, e.g., minister, rabbi, priest, teacher, shaman, mayor, police, chief, elders or group leaders?
- How do parties perceive mediators?
- Who has authority in their culture?
- When is mediation successful to them?
- How do the parties see themselves, e.g., as individual personalities or as member of a group; as powerful or powerless; as independent or dependent on others' decisions?
- Is it important to retain face no matter what?
- How do they express respect and esteem?

In ethnically (or otherwise) mixed groups with a high degree of interaction and personal contact between members, there is a tendency to suppress conflict because it would endanger the cooperation/cohabitation. This may lead to growing negative feelings that could result in an outburst of emotions. This could severely damage relations and lead to separation and isolation that is counterproductive. One has to try and bring them together again and define conditions under which emotions may be expressed. From there the process of mediation/negotiation may again take its proper course.

## Module 5 Application of Skills

In the previous Modules, we have covered a variety of skills and processes essential for resolving conflicts. This final module provides an opportunity to practice these skills in a supportive, non-judging environment using real conflicts.

### Exercise 11: Role Playing with Conflict Resolution

In groups of four or five, select a conflict to work together on.

- Step One:** describe the conflict and the circumstances surrounding it (5 min)
- Step Two:** determine if you want to undertake negotiation (two parties) or mediation (with a neutral third party) (2 min)
- Step Three:** select roles for working through the conflict, e.g., mediator, party A, party B (3 min)
- Step Four:** role play the conflict and attempt to reach an agreeable conclusion (20 min).
- Step Five:** evaluate the group's role play using the following checklist. (15 min)

#### Chart 4: Evaluation of Role Play

	Went Well	Suggestions for Improvement
Clarity of conflict and facts surrounding conflict		
Understanding of the cause of the conflict		
Listening actively to each other		
Working toward finding common ground		
Wanting a win-win solution		
Communicating assertively		
Focusing on the future, not the past		
Satisfaction with the outcome and prepared to implement agreements		

List below the major lessons learned in the role playing of a sample conflict.

**Lessons Learned**

**Exercise 12: Action Planning**

Finally, take all that you have learned and decide what you are going to do as a result of this workshop. Review a conflict you are involved with and determine how you are going to address it. Complete the action plan chart below to help you prepare for taking action.

Briefly describe the conflict and its cause:

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<b>What</b> Can you do?	<b>How</b> Can you do it?	<b>Who</b> needs to be involved?	<b>By when</b> will you resolve it?