



CONFLICT MANAGEMENT

TABLE OF CONTENTS

Title	Page
What Is A Conflict	01
What Is Conflict Resolution	02
What Is Conflict Analysis	04
Actors Involved In A Conflict	05
Power, Resources And Relationship Analysis	06
Conflict Typology: Size And Causes Of Conflict	06
Analyzing The Positions And Interests Of Actors	07
Win: Win Solutions To Conflicts	08
Five Types Of Conflict Resolution Behavior	10
Methods To Achieve Conflict Resolution	11
Questions To Assess The Success Of The Conflict Resolution Process	12
Mediation	13



WHAT IS A CONFLICT?



“Conflict is a natural, inevitable, and recurring part of all human interaction occurring at all levels of society... It is not deviant or pathological per se, nor does it necessarily result in serious harm; its manifestation may be revealing an expression of injustice, or strains in the social system which demand attention.”

(Franklin E. Dukes, 1996)

The perception of conflicts as a useful force for change is one of the vital conditions for constructive conflict resolution.



WHAT IS CONFLICT RESOLUTION?

Conflict resolution is one way to channel conflicts in a constructive way, through non-violent processes that promote dialogue and negotiation. The main aim of conflict resolution as a field of study is to define, address and transform deep-rooted sources of conflict, and to undermine violent behavior, hostile attitudes and rigid structures of the conflict.



WHAT IS CONFLICT ANALYSIS?

The main aim of conflict analysis is to gain a comprehensive and shared understanding of potential or on-going conflicts. It usually involves an assessment of key conflict factors (sources of tension and root causes of conflict), actors (interests, potential spoilers, capacities for violence and peace), and dynamics (triggers for violence, process development, likely future scenarios). Analysis can be undertaken at local, national, regional and international levels.

Its framework usually consists of a set of question organized around these themes:

- Who are the actors/parties involved in the conflict?
- What is the power distribution in this conflict situation?
- What is the size of the conflict?
- What are the most important causes of the conflict?
- What is the course of the conflict?
- What has already been done to resolve it?
- What is our role in the conflict?



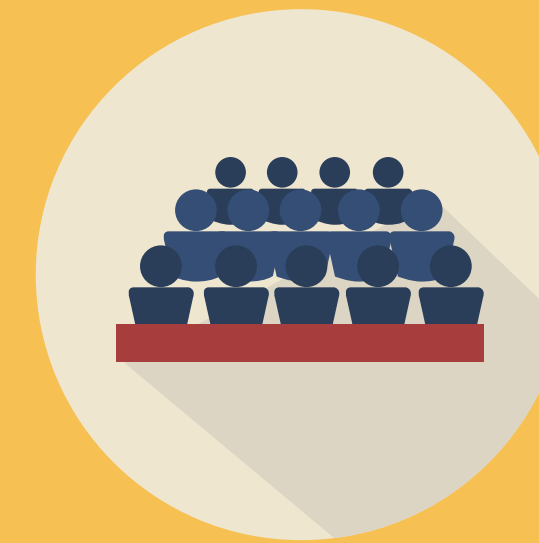
ACTORS INVOLVED IN THE CONFLICT



PRIMARY ACTORS



SECONDARY ACTORS



TERTIARY ACTORS

Actors might include individuals, governments, international organizations, financial institutions, as well as identity groups, etc. They all deserve consideration when we're looking for ways to resolve the conflict.

PRIMARY ACTORS are those directly involved in the conflict.

SECONDARY ACTORS are not actual parties to the conflict but have a high degree of interest in and influence over it, often due to their proximity.

TERTIARY ACTORS are other parties with interests in and influence over events, including regional and global players, which can play a significant role in conflict resolution and therefore need to be considered in the analysis. These include identified organizations and actors involved in interventions promoting peace and security in the country or region.

POWER, RESOURCES & RELATIONSHIP ANALYSIS

The questions we usually ask at this stage of conflict analysis include:

- What are the resources and capacities of each side? What is the state of the relationship among the actors?
- Is the power distributed evenly (equally) or asymmetrically with an outstanding power prevalence of one party?
- In case of asymmetrical distribution of power – what is the source of it? Is it informational, physical, financial, expert or status-based power?
- Do all aspects of power prevail on the side of one party? If not, what aspects are stronger on the side of which party?
- Are there any possibilities for reinforcement/weakening of power of individual parties?
- Are the parties aware of their current (or potential) power prevalence?

TYPES AND SOURCES OF POWER

- **Formal authority**
It is power derived from a formal position in the structure that contains privileges of decision-making. Such power is possessed by judges, elected officials, parents, directors, etc.

- **Power of an expert (the owner of information)**
It is power derived from the possession of expertise in a very specific field, or from information on specific events.
- **Power of association (reference)**
Power derived from connections with other people who have power.
- **Power of sources**
Power derived from control over sources of values (money, raw materials, labor, services).
- **Procedural power**
It is power to control procedures and processes that influence what kind of decision will be taken (e.g. bureaucrats, lawyers).
- **Power of repression**
Ability to put somebody in an inconvenient situation; ability to impose direct sanctions.
- **Power of habit**
Status quo kind of power, coming out of the premise that it is easier to maintain the present state of things than change it.

- **Moral power**
Power resulting from the pressure of culturally respected values. Close connection to the power of conventions that say what is good and what is wrong.
- **Personal power**
Power derived from the potential of personal qualities such as self-assurance, ability to articulate ideas of others, understand the situation of others, etc.



CONFLICT TYPOLOGY: SIZE AND CAUSES OF CONFLICT

From the psychological perspective, we divide conflicts according to the sources that caused the conflict. The circle of conflict by Christopher W. Moore (1989) illustrates the five most important sources of conflicts.

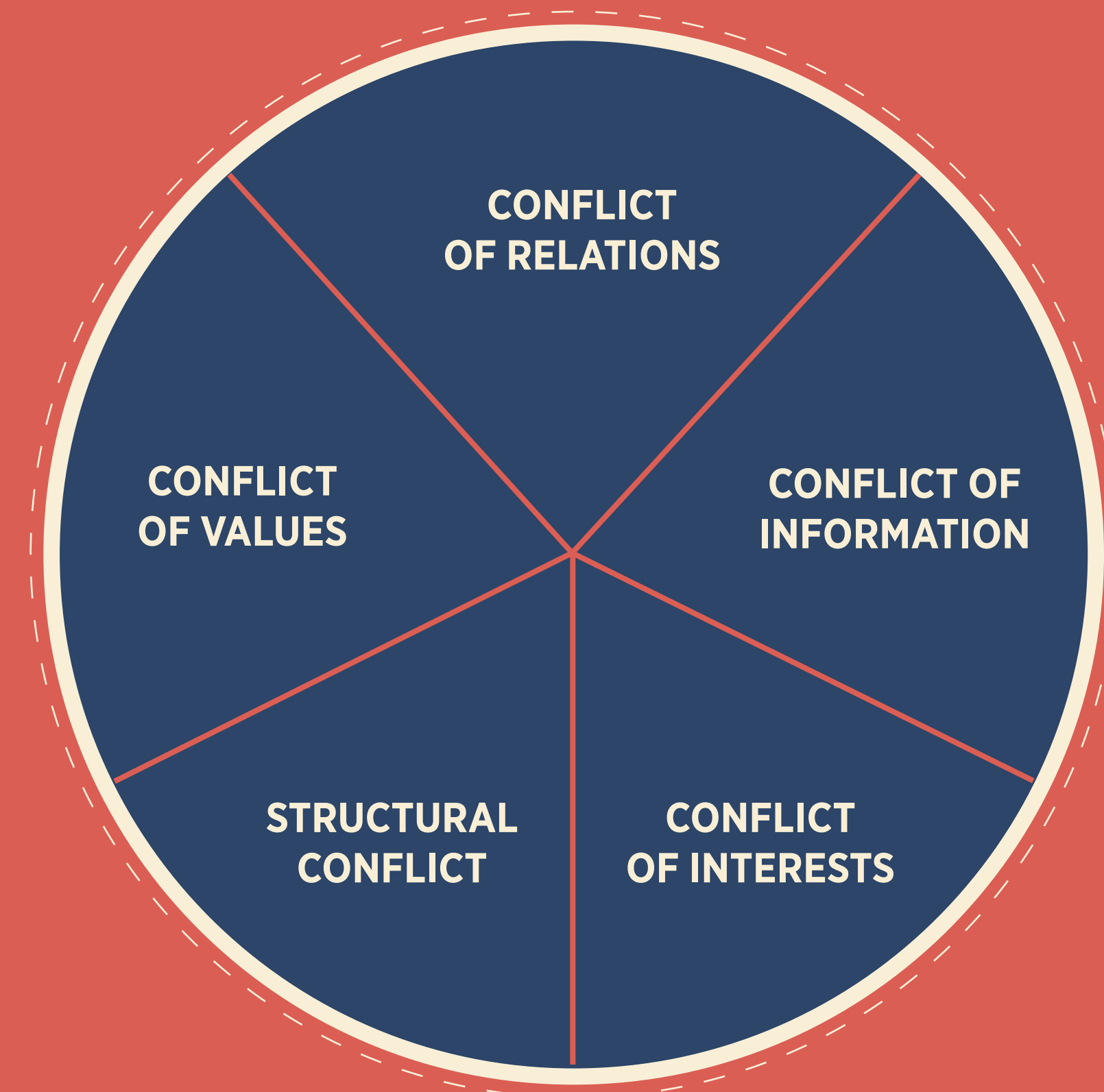
Conflicts of Information arise when we deal with lack of information, misinformation, different views on data relevance, different interpretation of data, etc.

Conflicts of Interests are those where there is perceived or actual competition over procedural interests, psychological interests, etc.

Structural Conflicts stem from unequal authority, unequal control of resources, time constraints, etc.

Conflicts of Values emerge because of different ways of life, ideology, religion, culture, etc.

Conflicts of Relations are based on miscommunication, strong emotions, stereotyping, repetitive negative behavior, etc.



ANALYZING THE POSITIONS AND INTERESTS OF ACTORS

In conflict analysis, it is important to distinguish between negotiating demands/positions and underlying, often unstated, interests and concerns.

POSITIONS are the statements of what one party is willing to give. Positions are the stance you take and your proposed solution:
A: "I want \$3,000 for this car"
B: "I will not buy the car unless you reduce the price."

Conflict resolution based on positional negotiation starts with two positions and attempts to find a middle ground between them, or barter until one party gives in to the other position.

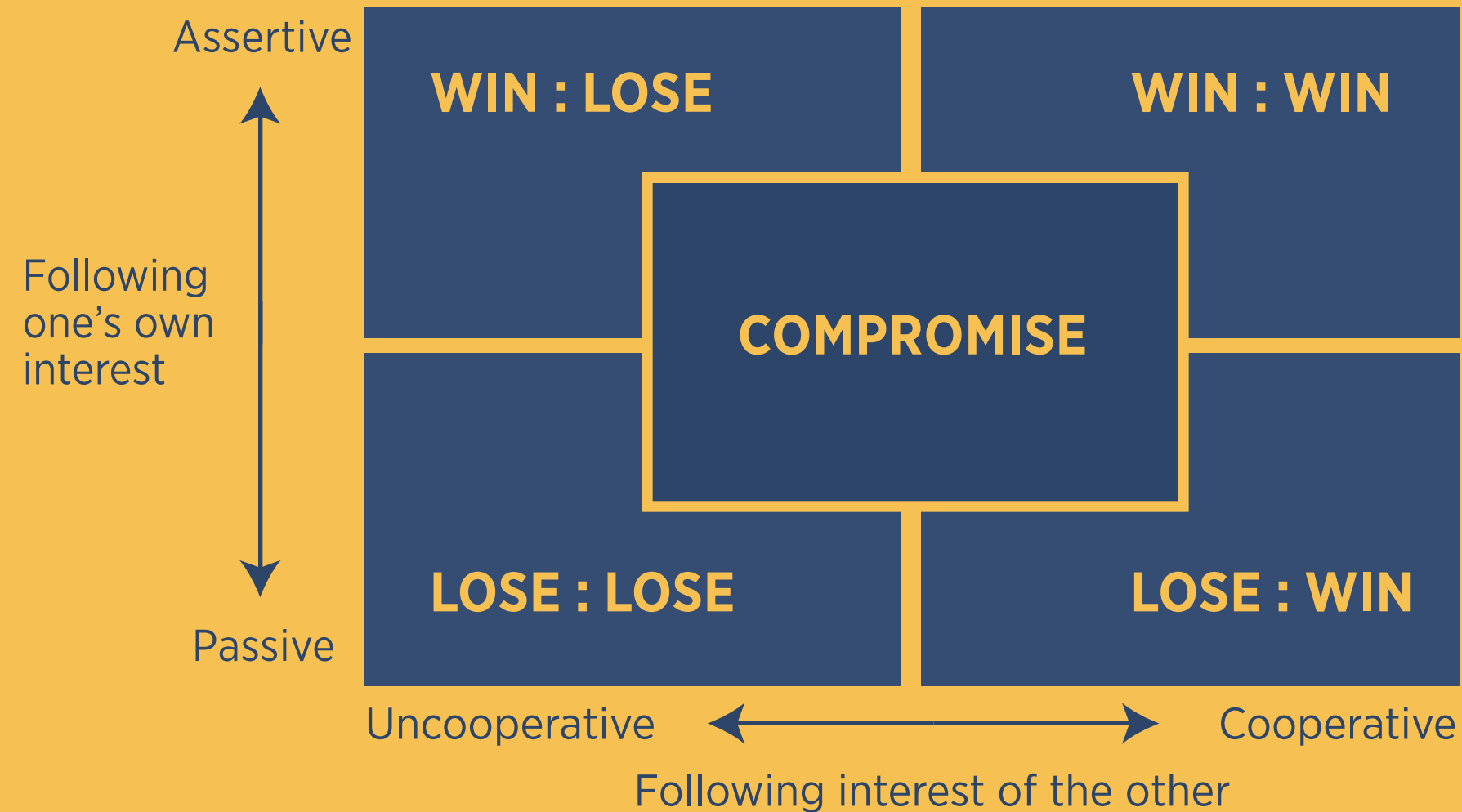


INTERESTS are desires or goals – the things that people want to achieve in a conflict situation. Unlike people's positions, which are simple statements such as "I'm pro-choice" or "I'm pro-life" (or "A" and "B"), the interests underlying those position is the answer to the question "WHY do you want that?" or "WHY do you feel that way?"

Many theorists contrast interests with positions. In their best-selling book, "Getting to Yes", Roger Fisher and William Ury assert that almost all disputes have negotiable interests. But when people define their dispute in terms of positions, they often appear to be highly intractable, since one side wants something that the other completely opposes. Focusing on interests enables the parties to identify win-win solutions to problems that might not have been evident when the issues were described in terms of positions

WIN : WIN SOLUTIONS TO CONFLICTS

Successful conflict resolution is based on maximizing common benefits.



According to the scheme above, in a conflict of two parties, there are **5 possible solutions**. A zero-sum game is one in which one party wins and the other must lose; a non-zero sum game has the possibility of both people winning.

In general, the 'zero-sum game' approach does not significantly contribute to successful conflict resolution. If both parties are not active in following their interests or in following the interests of the other party – in other words, if they behave uncooperatively and passively – both parties will lose.

What is more, if conflicts are not addressed constructively (cooperatively), we risk an unmanaged conflict getting out of hand and changing either into disappointment/fatigue or violence.

In order to prevent this outcome, effective conflict resolution should be based on treating conflicts cooperatively and actively, directed towards a WIN:WIN SOLUTION.

Even though reaching a compromise can be partly satisfactory for both parties and is often considered a successful form of conflict resolution, distinguishing between positions and interests can lead us to an even better solution.

While compromise always includes sacrificing something important for both parties and is never fully satisfactory, a win: win solution takes the most vital values/interests of both parties into account and disposes of only those which are not so significant.

Searching for a win: win solution, therefore, involves digging deeper under the positions of the parties and discovering what their most significant interests and needs are.

STEPS TOWARDS A WIN: WIN SOLUTION:

1. Focus on the problem, not on the person
2. Focus on interests, not positions
3. Generate alternative solutions
4. Apply objective and independent criteria



FIVE TYPES OF CONFLICT RESOLUTION BEHAVIOUR

According to the Thomas-Kilmann Conflict Mode Instrument (Tuxedo NY: Xicom, 1974), there are five basic types of conflict resolution behaviour.

ACCOMMODATING

Motto: "Kill your enemy with kindness"

Uses: When you see you are wrong; when you seek harmony.

Limitations: You may never get your concerns addressed.

AVOIDING

Motto: "Leave well enough alone"

Uses: When confronting is too dangerous or damaging; when an issue is unimportant; when a situation needs to cool down; or if you need more time to prepare

Limitations: Issues may never get addressed.

COMPETING

Motto: "Might makes right"

Uses: When immediate action is needed, when you believe you are correct.

Limitations: Intimidates people so they are afraid to admit to problems or give you important information.

COLLABORATING

Motto: "Two heads are better than one"

Uses: Learning from another's perspective is helpful when you need a decision that addresses the concerns of both parties.

Limitations: Not as helpful for minor decisions, when time is limited.

COMPROMISING

Motto: "Split the difference"

Uses: When all else fails; for fast decision-making on minor disagreements; when two parties of equal strength are committed to mutually exclusive goals.

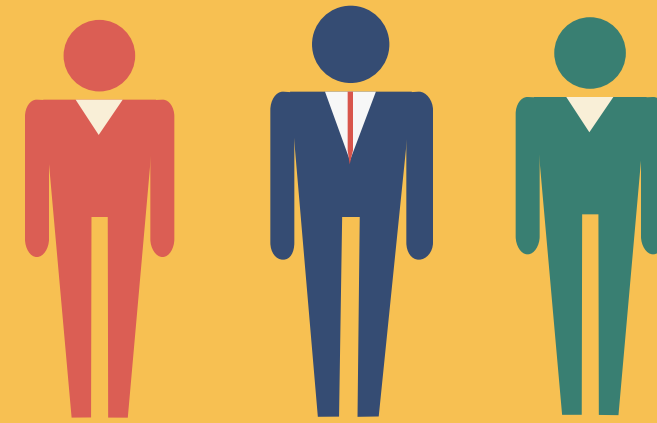
Limitations: Losing sight of larger issues and values and possibly not pleasing anyone.

METHODS TO ACHIEVE CONFLICT RESOLUTION



NEGOTIATION

Direct communication between the two parties, A and B.



FACILITATION

Direct communication between A and B with the assistance of a third party – the facilitator.



MEDIATION

An assisted process of conflict resolution by a third party, after listening to both parties individually.



CONCILIATION

Correcting the relationship of A and B by their neutral representatives in a way that both parties are present at the conciliation commission, but not directly.



ARBITRATION

Conflict settlement by a third party, which decides upon the result after listening to both parties.

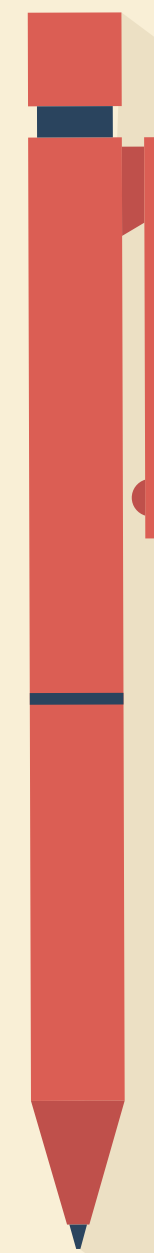


ADJUDICATION

A,B communicate indirectly – through their advocate (Ad) and procurator (P).

QUESTIONS TO ASSESS THE SUCCESS OF THE CONFLICT RESOLUTION PROCESS

- 1) Does the solution consider the short-term needs and long-term relationship of all parties involved in the conflict?
- 2) Have both parties examined all possible solutions which would enable both, or even one, of them to get out of the conflict without any antagonism against the other party?
- 3) Has the solution been reached using the least possible transactions leading to the wished-for result?
- 4) Can the solution be realized or does it imply other problems, which need to be resolved? Do both parties accept the result without feelings of dissatisfaction?
- 5) Was the solution reached based on the willingness of both parties to participate in negotiations (or other process) that influence them?
- 6) Is the solution just and fair? Does each party consider the other party's conditions legitimate and do they accept them as morally justified?



MEDIATION

MEDIATION is the intervention into a dispute or negotiation of an acceptable, impartial and neutral third party who has no authoritative decision-making power, to assist contending parties to voluntarily reach their own mutually acceptable settlement of issues in dispute. The mediator helps people in conflict to coordinate their activities and be more effective in their bargaining.

PRINCIPLES OF MEDIATION

1. **VOLUNTARINESS** is the principle that acknowledges the right of parties to freely enter into both the mediation process and any agreement that may be reached in that process. Parties have a right to withdraw from mediation at any time.
2. **INFORMED CONSENT** is the principle that affirms the parties' right to information about the mediation process and their legal rights before consenting to participate in mediation or to the terms of an agreement reached in mediation.
3. **SELF-DETERMINATION** is the principle that recognizes that parties in a dispute have the ability and right to define their issues, needs and solutions and to determine the outcome of the process without unwanted advice or suggestions from mediators. The parties have the final say as to the terms of any agreement reached in mediation.
4. **IMPARTIALITY/NEUTRALITY** is the principle that affirms the parties' right to a process that serves everyone fairly and equally, and ensures that mediators refrain from perceived or actual bias or favoritism, either by word or deed.
5. **CONFIDENTIALITY** is the principle that guarantees all information received from the parties will be kept confidential. Any exceptions to the confidentiality clause are to be made clear to the parties prior to their consent to participate in mediation.

PROCESS OF MEDIATION

1. OPENING THE MEDIATION
2. TELLING STORIES
3. IDENTIFYING ISSUES & SHAPING AN AGENDA
4. GENERATING OPTIONS
5. MAKING DECISIONS
6. WRITING AGREEMENTS



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