

Incompatible Stories

Kenneth Kaye

THE MOST INTRACTABLE conflicts that arise among business-owning family members occur when parties support their opposing positions by reference to incompatible narratives: histories that contradict each other in essential points. When people fall back on contentions that are central to their identity, their long term grievances, or moral rights, they have moved to a different arena from an organization whose constructive disagreements about business decisions are resolvable through debate and orderly governance.

This article¹ will illustrate a method of using the *shared* core of opposing stories to maintain reasonable discussion of primary, must-solve issues while not allowing the myriad secondary issues to block agreement on central ones.

The example comes from a pair of brothers, two of four siblings who inherited a manufacturing firm I'll call WisTronix.² The oldest son told of his loyalty to their workaholic father for thirty years, on the basis of a promise that he would either inherit or be able to buy the controlling interest—only to find, when the father passed away, that his minority partners threatened to stymie his nominal control. The siblings' story was that they were always promised shared ownership in their father's legacy, and it was time to put some constraints on their overpaid and underperforming older brother.

Every family business advisor encounters incompatible stories, whether we are conflict resolution specialists, family therapists, or organization development consultants; com-

pany attorneys, tax/estate planners, executives of family wealth management offices, or the feuding parties' relatives and spouses. Such conflicts don't lend themselves to mere compromise, mediation, or voting. No matter how many sessions one facilitates to hone the family firm's mission statement or enrich their understanding of different communication and decision-making styles, resolution is impossible without dealing somehow with their conflicting tales of entitlement, betrayal, untrustworthiness, and injustice.

Incompatible stories add a dimension to the resolution process that is much the same

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in family *and/or* business disputes as in a wide variety of other human conflicts. In fact, the term "incompatible narratives" appears in the work of scholars and journalists in the fields of organizational, community, and international dispute resolution, even addressing ethnic and religious violence in places like Northern Ireland or the Middle East. We can learn from the fact that similar methods have been employed by peacemakers in all those arenas. If resolution is achieved, it usually takes years, following numerous missteps and failures along the way.

Rarely can an outsider conclude that one side's story is more true, or more just, than the other's. Most often, they are both reasonable and both have justice on their side, based on having experienced past events from fundamentally different vantage points. Is the history told by a brother who worked with

¹ Part I of a two-part submission entitled "Unblocking Human Conflict."

² This article discusses a single, actual case; all identifiable details have been changed.

their father for twenty years and is now CEO of his business more objective, wise, or compelling than that of his siblings, who observed and interacted with their father and brother mainly from outside the business, and have their own network of community informants?

Death and Betrayal

In the WisTronix family, conflict erupted when the three children who did not work in the business learned that they were each to inherit only 16% of the stock. They had known that their eldest brother, Alf, already owned 36% of the shares, but their father had allowed them to believe that the three of them would divide the remaining shares, so that as a bloc they could outvote and even replace Alf as CEO, if necessary. Contrary to their expectations, the father's stock went to all four heirs equally, giving Alf a total of 52% and unilateral control.

Although Alf had been well paid in recent years, he had started at WisTronix shortly after his father bought it, and suffered through almost a decade of low pay. His brother and sisters had moved away by then. Thus Alf deemed it entirely fair that he was promised control of the business. Whatever distributions or eventual buyout his siblings would receive for their shares in the company, they should feel nothing but gratitude for his years of work to build its value.

The middle two siblings were sisters, uninterested in the details of the business but also unwilling to be passive about their minority ownership. One lived in a city three hours' drive from the Midwestern town where their parents had moved while she was in college. The other lived in Oregon; she and her husband owned and operated a marina. The youngest brother, Bert, lived in Texas. An electrical engineer like their father, he had worked at WisTronix briefly, leaving both the company and town after a fight with Dad.

All three asserted privately that Alf had already received unwarranted rewards and

influence, which they would have to overcome after Dad passed away.

The four principals struck me as fairly level-headed, emotionally mature people, functioning well in their respective worlds. Cases with significant psychological dysfunction, including family members with serious addictions or depression, are generally *easier* for the consultant to diagnose and facilitate than a group of fairly rational people who are mutually critical, distrustful, and angry.

The majority of my consulting work over the past 23 years has been of this type. As described in previous articles³, my approach

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to conflict resolution in families is first to ascertain whether they share a common or at least compatible set of long-term goals. Second, with those members for whom the business holds promise of achieving their shared goals, my job is to coach and persuade them to look to behavior change in themselves, rather than finger-pointing and undermining one another. If they can't do that, then my role is to help them realize that they don't share enough trust and mutual respect to be successful business partners. Some or all of them will need to unwind the business part of their relationship, fairly and constructively.

The Main Line

Overcoming incompatible stories nearly always consists of two simultaneous lines of action: one involving a systematic push toward conciliation, the other fending off a series of diversions. I think of them as the Main Line and the Side Shows. The Main Line is a fairly obvious, though slow

³ Kenneth Kaye, *The Dynamics of Family Business*. iUniverse, 2005.

sequence of steps toward finding or, if necessary, fabricating a shared storyline powerful enough to displace the principal characters' interest in dwelling on opposing elements in their stories. The Side Shows are secondary, creative attempts by members of the system to maintain or accelerate the conflict, challenging my own creativity to deflect them.

In general, it is the latter, peripheral narratives—grudges, insults, betrayals having little to do logically with the primary, must-solve Main Line—that can easily defeat the intervener as well as long term outside advisors and the disputants themselves. If conflict resolution were a video game, the Main Line for consultant and principals would be trying to drive the race car along a winding track toward a finish line, slowing on the curves, changing lanes to pass other cars. The Side Shows would be snipers, grenade throwers and diversionary acts that pop up without warning beside the road.

The push to resolve the Main Line includes at least three interrelated elements. One is to

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build up, rhetorically, the extent and emotional significance of their shared *storyline* while reducing the importance, among the principals, of discrepant details. This is like what mediators do in looking for common ground, but here we are building a common background rather than an outcome. A simultaneous element is to use the personal standing of a *trust catalyst*,⁴ in this case myself but in other cases a mother, uncle, family office executive, or other long-time advisor, to pressure the disputants while gradually and subliminally modeling relationships of mutual trust. That, too, is an element

of any negotiator's role. The third element is to find *safe arenas* in which the principal disputants can and are willing to test one another's trustworthiness.

Sinn Fein leader Gerry Adams described those same three elements in the years that finally brought an end (hopefully) to a century of violence between Catholics and Protestants in Northern Ireland.⁵ I'll explain each element in reference to the WisTronix case.

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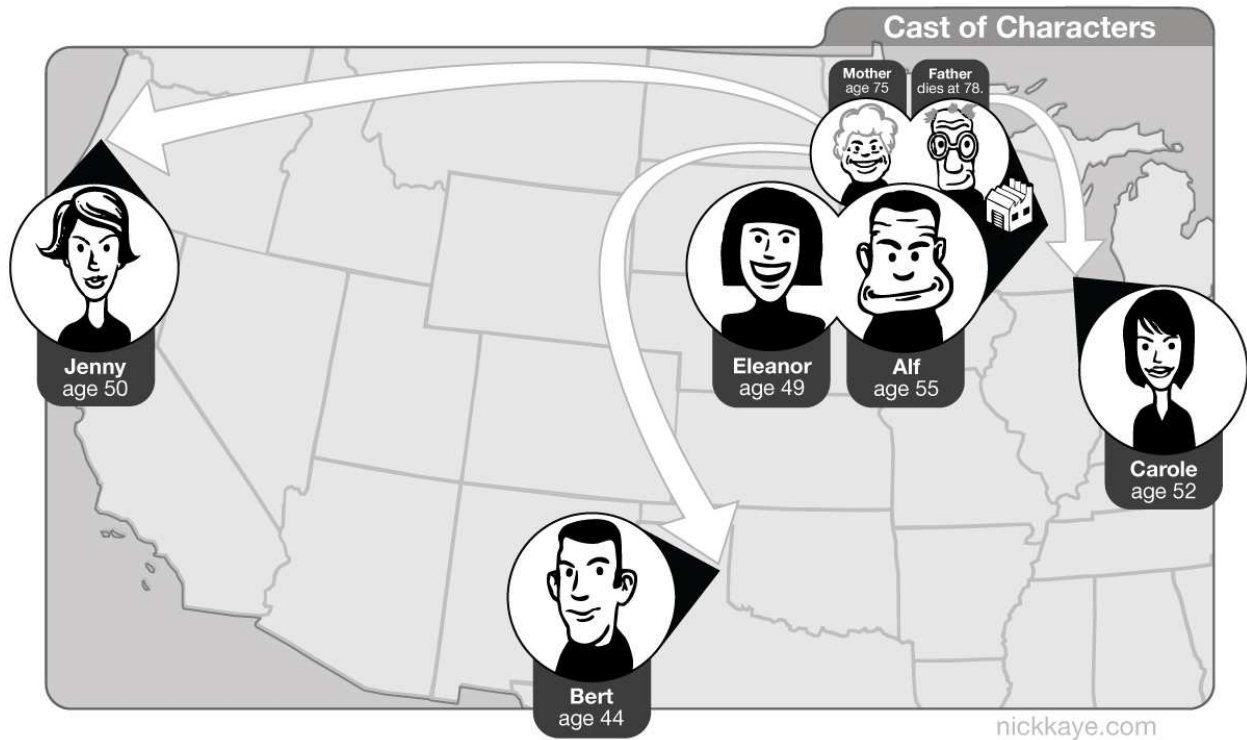
First element: find the shared storyline.

Among and between the parties' opposing narratives, there are bound to be elements of a shared storyline. Instead of asking about the disputants' anger at each other, what is the *common* theme of their history?

In the WisTronix case, I fortunately had interviewed the father and mother before his death. She suffered dementia, but it was his heart disease that had led one of the daughters to press him to clear up issues of succession and buy/sell matters, as well as try to improve strained relationships among the siblings. This was the daughter who drove up from the city three or four times a month, due to the parents' health problems. She had been "badgering" him, as he put it, to be sure that his estate plan would not leave decisions to Mom (in early Alzheimer's), and would ensure a Board structure and shareholder agreement such that Alf, with 36%, would always need at least one of them to concur on any shareholder decision.

⁴ Kenneth Kaye and Sara Hamilton, "Roles of Trust in Consulting to Financial Families." *Family Business Review*, Vol. XVII, No. 1, March 2004.

⁵ Gerry Adams, *A Farther Shore: Ireland's Long Road to Peace*. Random House, 2003. U.S. special envoy George Mitchell was the "trust catalyst" working with all factions in the peace process, while Adams and John Hume, MP, leader of the Social Democrat and Labor Party, gradually built personal trust between themselves over a long series of undisclosed private meetings.



Dad showed me his will, which specified an equal fourth of his shares, 16%, to each of his children—giving Alf a total of 52%. “He has earned it, pure and simple,” he said. “He’ll report to them and get their ideas, but you can’t run a company with outsiders calling the shots.”

I affirmed that he had every right to allocate the shares as he thought best, but urged him to meet with them, or at least write a letter explaining his motives and his thinking. “Set the matter straight and personally explain your reasoning to your children.” He promised to “think about it,” but before I got back to him, he dodged the exercise by dropping dead.

By that time, I had interviewed all four siblings and Alf’s wife, Eleanor, who worked in the business as Human Resources Director. One thing I heard from every one of them was that Eleanor belonged to Mensa, the high-IQ club. “As she’ll be sure to tell you,” her three in-laws each added.

Alf’s private confession was that he had seen Dad’s will, and thus knew that he would

not have to purchase anyone’s stock in order to gain control.

Unfortunately, I learned that Dad had either said or implied to his other three children that the majority would share enough

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votes to elect a Board after he was gone. That would have given them control in the event all three were to agree that their brother should be replaced or the company sold. The siblings had, in fact, lost confidence in their brother.

Two years ago, Bert had left his job with a large corporation to start a consulting business with a partner. He also took on a consulting project for WisTronix when he left the corporate job, Bert said, because his expertise was badly needed. Alf confirmed that Bert’s contribution was valuable, but told me the

main reason he had put Bert on retainer was to mollify the sisters and give him income as his start-up struggled. Otherwise, Alf said, he'd have hired a closer consultant, saving the travel expenses and sparing himself Bert's know-it-all manner.

Bert had held manufacturing jobs, including managing a plant five times as large as WisTronix's. The sister in Oregon also had worked in several business roles before joining her husband in building their successful company. Alf's prior experience was in the marketing department of an uncle's moving franchise. However, his siblings acknowledged his proven sales and people skills and his loyalty to the family business.

The three "outsiders" had discussed (unbeknownst to Alf) assigning the chairmanship to either daughter when their father died,

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and the possibility of Bert's coming on full time to revamp the manufacturing side of the business.

The storyline as reframe. When Dad passed away and his stock was divided four ways instead of three, he had given the "favored" brother (or the faithful one, as Alf and his wife saw it) legal control. That was the tense context in which we had our first sibling meeting a month after the funeral, at the end of the Oregon sister's extended stay to help her mother adjust.

This was no time to let the heirs rip each other apart for a quarter century of grievances. I opened the meeting by telling what I had learned so far. Their father had good intentions, I said, but by failing to level with them, he'd created a conflict that could easily become a tragedy for their family as well as for the business. Their father's shareholder agreement would not prevent quarrels and stalemates among four siblings—but they

could explore constructive ways to replace it with a workable governing document.

I didn't say, "Your father was difficult," but that was an underlying theme of both brothers' stories, as well as the implication of the daughter's having resorted to badgering him. In focusing on Dad's inadequate planning and communication, I was ignoring, for now, most of the complaints about one another they had listed with me.

Nor did I encourage them to dwell on Dad's faults. It wouldn't be helpful to describe them as victims; I needed them to feel empowered. The point was only that they had all dealt with the same father; and losing him, were already losing their mother. None of them was to blame for the situation that seemed to have pitted them against each other. It could have been avoided had Dad started a process, years ago, like what they were now doing.

Playing up the shared storyline doesn't resolve the differences among family members, but reduces the relative importance of those differences in the grand scheme.

Although each brother's story relied heavily on criticism of the other (and the sisters pretty much supported their younger brother, Bert), I saw no need to start a dialogue about those behavioral conflicts. If the goal of this meeting had been behavior change for a better working relationship, then actively listening to one another's requests for change would have been in order. But the Main Line (as I saw it) was about the ownership and control situation Dad had bequeathed them, and what they could do structurally to make co-ownership workable for at least the present.

From that point of view, it was most important that they not get stuck blaming each other. I asked Alf to repeat something he had told me about moving with his bride, Eleanor, to the small town where the business Dad bought happened to be located. It had been hard starting their family on a pittance plus unreliable commissions. When Dad sent him out on the road ten days a month, and they

didn't show a profit for years, he envied the sisters and Bert pursuing their independent lives, far from the parental shadow.

Asked whether he had realized that, Bert said he never thought Alf envied him, but on the contrary: Alf stuck it out where he himself hadn't. Then Alf said he had felt bad that Bert wasn't able to work with Dad and earn his appreciation. I saw tears in all eight eyes, a good sign that the shared storyline was effective.

I would not claim the shared storyline was a healing intervention in any way: it didn't bond them closer or make their differences less significant. What it did was shift the emotional frame from hurt, betrayed, and angry to sad but collaborative; and the mindset from blame and distrust to one of inquiry and compromise.

Storyline becomes joint task. Over the course of a year, my five meetings with these individuals, separate meetings with Alf and/or Eleanor, plus phone and email communications, focused mostly on discussing what they would eventually ask the company attorney to draft as a new shareholder's agreement (including, vitally, buyout options in case of death, disability, or voluntary departure of an owner). So the work was not primarily about their relationships, much less about baggage from the past. It was, in fact, an application of the "single-text" approach used by international peacemakers.⁶ But it couldn't have succeeded without beginning where we did. In subsequent meetings, I had additional occasions to refer to the tough task Dad had left them, congratulating them on their patience with one another and the fact that even as they defended different interests, they were working together on this process to the benefit of all.

But my own formulation of the story had only been the "pitch", so to speak. By the end

of that first meeting, they had fleshed out the story themselves. They said that Dad was "true to form" in not consulting them, then misleading them about Alf's control. He always made decisions privately, they agreed, and avoided having to justify them. He wanted Alf to have that ability as well, at whatever cost to their family relationships.

That fuller (though no doubt oversimplified) group story produced adequate empathy and civility for work that actually consisted of hard negotiation between majority owner and the minority coalition, over such issues as which board and shareholder decisions would require a supermajority, and the formula to buy out a shareholder under various circumstances.

Second element: the trust catalyst. A trust catalyst is someone who has earned the trust of two or more individuals and thereby either explicitly or implicitly makes them more comfortable about learning to trust one

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another.⁷ (Trust is a process, not an all-or-nothing decision.) Even before the first family meeting, I had already begun maneuvering to gain everyone's trust equally, which means listening to their stories with compassion, withholding judgment in all but extreme cases, but also echoing selective elements of each person's story. Highlighting the shared theme, I would ignore most though not all the contradictory parts of their stories. For example, the fact that the siblings wanted one of them to become chair of the board, but Alf didn't have to accept that, would need to be

⁶ For example, President Jimmy Carter in the first Camp David talks between Israel and Egypt; and in 1994, negotiating a cease-fire in Bosnia.

⁷ Louis B. Barnes, "Managing the paradox of organizational trust." *Harvard Business Review*, 1981, 59, 107-116.

confronted. But a sister's objection to Eleanor's inviting her own relatives to Alf's extended family's reunion would never be on my agenda—nor would I tell the sister she was being ridiculous about that.

On the other hand, people in conflict do want to see that the intervener is willing and able to help them talk about issues they're afraid to raise, without being destructive. So whether I put a topic on the agenda or try to keep it off the agenda has ramifications for my building trusted relationships with all parties, if possible. (Fortunately, mistakes aren't fatal; repairing the effects of one's inevitable missteps in this dance strengthens the relationship even better than perfect ballet moves would.)

Perhaps if their mother had been able to participate, she would have been an additional trust catalyst. If she shared the sisters' desire to bring Bert back into the business, would that have happened? Would it have been good for Bert, or for the company? No way to know.

Third element: testing trust in small arenas. In the course of these discussions, tasks arose that required homework between meetings. One was to look at some sample shareholder agreements' buyout clauses, particularly two features that vary significantly from one closely held business to another: the formula or process for determining price, and whether an exiting shareholder gets paid at once or over a period of years. Rather than give them examples, I suggested that Alf and the more vocal of his sisters constitute a committee to meet with the attorney and try to bring back a joint recommendation to the group. I'd like to pretend this was a conscious tactic to test the pair's ability to work as equals, but it was really a fortuitous result of wanting to move matters along between our meetings.

In the attorney's office, without my facilitation, Alf presented his concerns and his sister asked questions. She was able to report by email on their consensus. A similar mini-

test of trust occurred when Bert and Alf had a two-hour call on a subject that had previously inspired nasty emails between Bert and Eleanor.

Mutually respectful interactions between pairs of individuals, even on relatively insignificant matters—without necessarily coming to agreement—are as valuable as anything the intervener models for them, in shifting the tone from fears about any and all communi-

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cations, to expecting that they can trust each other to listen and discuss non-judgmentally.

This work on the Main Line could have led to any outcome between negotiating buyouts of one or more dissonant shareholders as soon as financing could be arranged, to a long term commitment by all family members to leave their capital in WisTronix. The actual resolution fell somewhere between those.

However, a principal point of this article is that the frustration and disappointment of a family's dream and individuals' opposing claims are bound to incite a variety of Side Shows along the way to *any* resolution. These are normal, and not necessarily destructive in the long run. They may, in fact, be necessary for people to accept reality. If the sisters really thought they could govern Alf and force Eleanor out of the business, or use their new status as board members to clip her wings, those hopes were not realistic.

Side Shows

As months went by and they slowly closed upon an outline of provisions all could accept, no one forgot their historical or current grievances. Most of those involved Eleanor as either the aggrieved or offending party. I attribute the success of this consulting engagement to how well I managed to keep those issues *off* the table, making no effort to

reconcile Alf's siblings with the woman who was (1) his wife of thirty years; (2) a full-time salaried employee, unlike them; (3) subject of critical anecdotes that reached them directly or indirectly from employees; (4) Bert's nemesis in a major argument about the company's information management system; (5) a strong-willed in-law who had feuded with all of them at one time or another over child rearing opinions and holiday celebrations (when, who hosted, and her insistence on inviting her own parents and brothers and their families); (6) the one who, living five minutes from Mom, was often involved in monitoring her care; (7) the person they suspected (correctly) of hankering to succeed their brother as CEO if he retired, as he'd said he might do within five years; and (8) the presumptive inheritor of Alf's now controlling shares in their family business!

Eleanor expressed a few corresponding complaints about her in-laws as people, but was aware and defensive regarding their litany of complaints about her. How likely was it that addressing their relationships, family therapy style, would lead to

How the Side Shows are handled can teach disputants that resolving conflicts is as much about avoiding some interactions as it is about trusting their relationship in certain areas.

conciliation after all those years? Not likely. The in-laws didn't want her in their meetings with Alf, nor did they want to meet with all four spouses, and I agreed in this case. Although I could have imposed ground rules to prevent the melee they predicted, I could imagine no positive outcome from allowing Eleanor to speak for Alf, or for her own future interests.

As a matter of fact, I have learned that one of the most valuable outcomes of a conflict resolution is that the participants learn there are issues about other people you can just ignore. To have a business relationship with

someone, you do need to trust their behavior in that context, but you don't have to socialize with them or respect their politics, much less pray to the same God or eat the same food. But when a dispute festers, and trust is lacking in an important area, human beings have a natural tendency to see *everything* alien or annoying about the other side as part of the threat to their own way of life. Many times in the course of working with this family, I found myself telling one of Alf's siblings that something he or she disliked about his wife was not in their power, much less mine, to change—but it didn't have to change, or even to be part of our agenda, for them to achieve the Main Line goal.

As the work progressed, one or the other of the sisters would phone or email to keep me abreast of every aggravating encounter someone—Mom's caregiver, for example—had with Eleanor. A sister wanted advice on how to tell her she shouldn't have hired her best friend to cater a company event, or to be sure I knew what Bert thought about Eleanor's involvement in the information technology upgrade. All such matters were, at best, peripheral to the main issues of forging a working agreement among owners; at worst, they were attempts to undermine it. They were brought to me, not for solution, but just the opposite. I saw them as symptoms of anxiety and disappointment, resistance to accepting the fact that the dream—"we shall overcome Alf's favored status"—would not be realized. Eleanor had been their favorite problem in-law for decades. They had consoled themselves with the belief that their day would come: they'd make Alf fire her, or Bert would become Vice President and she would quit. Dad's will quashed that fantasy; they would have to deal with her.

Alf was aware of people's concerns about Eleanor's self-taught qualifications and charge-ahead personality. He told me he had no intention of retiring and letting her run the company. He would either develop the current head of manufacturing to be his successor, or more likely they would sell or merge the

business. (It helped this case that no members of the third generation worked at WisTronix.) However, it was true that Eleanor had that ambition—and he was afraid to tell her that she would not be his successor.

Alf solved that problem himself, at least for as long as his siblings chose to remain owners, by conceding when they insisted that appointment of a future CEO be one of the decisions requiring a supermajority in the new shareholder agreement.

Resolution

No long term decision needed to be made about WisTronix's future. Possibilities that were mentioned ranged from selling the whole company within a certain number of years, to Bert's acquiring his sisters' shares and eventually succeeding Alf, to one or more of the sisters' adult children coming to work at the company so there would be a third generation to carry it on. The view I shared with them was that all they needed to worry about at this time was a set of agreements to allow WisTronix to keep moving forward and keep all those options open. Defining the goal neutrally with regard to long term possibilities was a shared-storyline tactic: "You don't have to debate what might happen five or ten years from now, because you won't survive that long without resolving this, whereas if you do this process right, you'll have a mechanism for implementing *any* of those future possibilities fairly."

The company attorney drafted the document with the provisions they had chosen. I insisted they each get a personal attorney to go over it with them and their spouses before signing it, which they did, eighteen months after Dad's death. When Alf found a buyer for WisTronix three years later, the shareholders voted unanimously to approve the sale.

Forgiveness. Would this work heal the rift between Alf's family and the other three? I didn't think so. My guess was that the four siblings and their separate families would get

through their mother's final few years in reasonable accord, and with the passage of time the intensity of resentment about the business would diminish. But they were unlikely ever to be close or spend as many holidays together as they did during the parents' lifetime.

Had there been motivation to do so, further intervention might go on to explore, as a family, whether tension about the business was partly a cause, as well as consequence of the series of squabbles about family matters over the years. In this case, the process only went as far as the business governance.

If Dad hadn't avoided my advice by dying, he could have explained his estate plan and perhaps apologized for leading them to believe otherwise. Even an acknowledgment of their feelings about his decision would be better than nothing. They loved and admired their father, but described him as never having forgiven Bert, his engineer son, for not returning after college, and discouraging his daughters from business careers anywhere, least of all in his company. And he had apparently deliberately misled them about their future roles as owners.

The story of Dad's compact with his eldest and failure to reconcile with his youngest son was the emotional crux of the legal inheri-

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tance/governance conflict he had bequeathed to the four heirs of WisTronix. Whether by neglect or passive aggressiveness, his final message to them had been, in effect, "Inherit? Inherit this!"

To their credit, they were able to suspend their conflict so as to agree on fair and workable ownership for the foreseeable future. In due course, the buyout mechanism (though never exercised) and other shareholder provisions would probably have met with their father's approval, had the whole process occurred under his leadership some years earlier.

Conclusion

Although every unhappy family is unhappy in its own special ways, and the project of facilitating their conflict resolution must be tailored to them and make its own unique story, the case described here has several typical features:

- It is neither necessary nor desirable to get all parties' stories converging on a version of history accepted by all. One need only find an important shared theme, which they can all relate to and which is not only true, but important both emotionally and practically.
- The intervener has to use his or her own trustworthiness, and willingness to trust the clients, as a model for their small steps in trusting and compromising with each other.
- One also has to be prepared to deflect many "side shows," or diversionary conflicts, without expecting to heal every wound or turn every pair of individuals, or even any pair, into bosom pals.

When we begin by focusing on the shared storyline and playing down differences, are we applying a band-aid over deeper infections, encouraging a premature "resolution" that is bound to blow up sooner or later? Not if we also facilitate acknowledgment, discussion, and reframing of differences as healthy diversity. Stories are never identical among members of a group. But they can be *compatible* so long as the parties don't get stuck on the contradictory elements. People who have common cause will instinctively downplay differences.

Often, the contest is not between the two "warring" parties so much as it is between two competing forces within each person. One force is the disputants' desire to merge their stories into a shared entrepreneurial saga. The other consists of secondary, conflict-maintaining side shows triggered by their shared or individual fears (i.e., distrust).

Consultants' reframes are merely techniques, not solutions. The clients' own formulations, and gradual behavior changes—or not—are the only tests of whether the shared part of their individual stories will be powerful enough to secure a shared enterprise for the foreseeable future.

Kenneth Kaye, Ph.D.'s consulting website is www.kaye.com. His books about resolving family conflicts and business conflicts are



[Family Rules: Raising Responsible Children](#) (1982, 2005)
[Workplace Wars and How to End Them](#) (1994)
[The Dynamics of Family Business](#) (2005)
[Trust Me: Helping Our Young Adults Financially](#) (2009)