

Conflict Management & Resolution

Part III

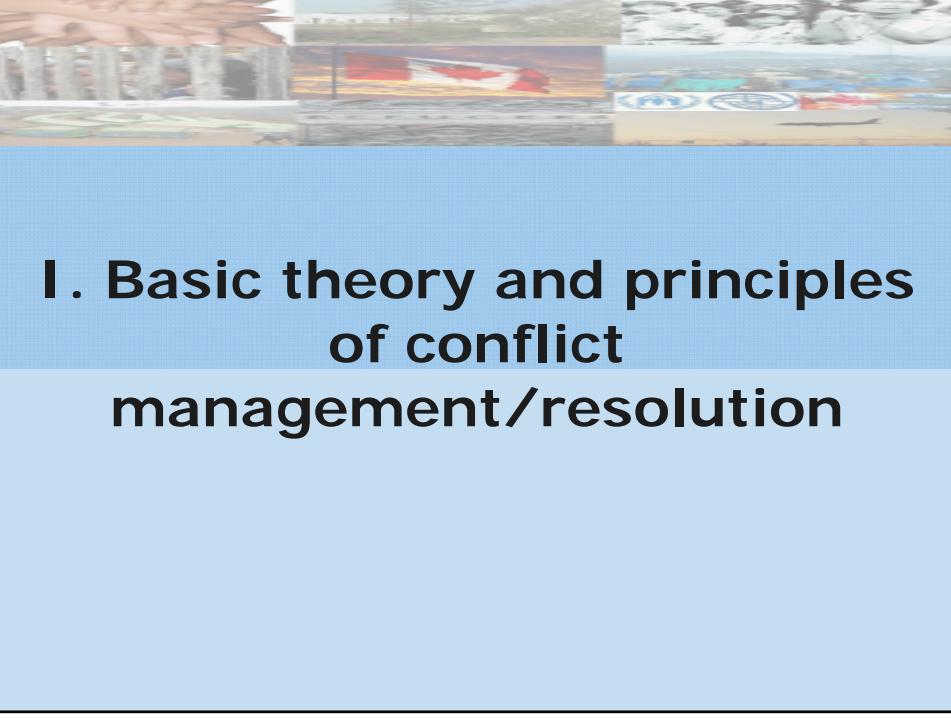


Refugee
Sponsorship
Training
Program

A Problem-Solving Approach for
Resolving Conflict in the Refugee/Sponsor
Relationship

Overview

- I.** Basic theory and principles of conflict management/resolution
- II.** Conflict resolution skills
- III.** An interest-based model for resolving conflicts
- IV.** Role play exercise



I. Basic theory and principles of conflict management/resolution

How Disputes Get Resolved

- Power-based methods
 - Disputes are settled on the basis of who is more powerful
 - Examples: legal or illegal strikes, lockouts, violence, war, use of authority
- Rights-based methods
 - Disputes are determined on the basis of rights and entitlements e.g. sponsorship agreement, contract, law, precedents, norms etc.
 - Examples: formal grievances, arbitration, litigation
- Interest-based methods
 - Disputants seek to identify and reconcile their respective interests e.g. their needs, desires, hopes, fears, and concerns underlying the conflict in order to achieve a mutually satisfactory, win-win outcome

Conflict Management vs. Conflict Resolution

CONFFLICT MANAGEMENT

In many cases, conflict cannot be eliminated altogether. But may be controlled or managed so that it does not escalate in emotional intensity, spread to involve other persons and other issues, and lead to deteriorating relationships between the parties in conflict. Appropriate interventions can prevent conflict escalation and allow the disputants to continue to work productively together in future.

CONFFLICT RESOLUTION

In certain cases, conflict can be truly resolved in the sense that the disputants reach a mutually acceptable agreement that meets as many of their competing needs and interests as possible. Resolution as opposed to simply a settlement (which is more along the lines of let's cut a deal).

Continuum of Conflict Interventions

Prevention

Management/
Containment

Diversion

Breakdown

Proactive
response

Intervene
before
escalation

Find another
way to deal with
the
sponsorship

Termination of
refugee/
sponsor
relationship



Non-Confrontational Conflict Management

1. **Anticipatory management** – a conflict can be anticipated and defused in a preventive way before it becomes manifest.
2. **Negative communication** – remaining silent, avoiding, evading and being absent conveys disagreement or even anger without a direct confrontation.
3. **Situational friendliness** – allows persons who are avoiding each other to assume friendliness under certain circumstances, i.e., in the presence of guests, at important meetings, etc.
4. **Triadic mediation** – using a go-between to reduce or manage conflict. The third party assumes responsibility for the ongoing conflict and the disputants follow his or her suggestions for resolution of the conflict in order to save the go-between's "face."
5. **Displacement** – Anger is displaced onto a third party who is more vulnerable or less threatening.
6. **Self-aggression** – a grievance is expressed through exaggerated compliance.
7. **Acceptance** – A conflict situation is acknowledged as inevitable and accepted with resignation.



Cultural Considerations in Conflict Management

Approaches to Conflict Resolution

Western approaches

- Formal structure
- Direct
- Time is monochronic
- Full disclosure
- Goal = reaching agreements
- Importance of autonomy and individualism
- Neutral third party
- Resolution = signed agreement

Eastern approaches

- Indirect
- Use of a go-between
- Time is polychronic
- Disclosure follows social rituals
- Goal = reconcile relationships and resolve tensions
- Importance of relationships
- Responsibility of disputants to the community
- Trusted leaders as third parties
- Resolution = personal word of honour and symbols of reconciliation

Positions vs. Interests

Position

- A fixed stance on what they want or demand to see happen.
e.g. "You have got to get a job immediately, no matter what kind of job."

Interests

- Unexpressed needs, desires, concerns, hopes and fears that underlie positions
e.g. "I am afraid that if you don't find work, we will have to find other sources of funding for you."

*Key to effective resolution is uncovering interests
The case of the orange*



Kinds of Interests

Substantive or Content Interests

- There are the needs that reflect the substance or content of the dispute – what the dispute is all about. e.g. "I need \$50 additional money so I can pay this utility bill."

Emotional or Psychological Interests

- These are the needs that relate to the feeling or relational aspects of the dispute – the underlying feelings that are driving the dispute. e.g. "I need to feel capable once again of handling my own finances and my own life."

Procedural Interests

- The way in which the problem is resolved may be just as important as the actual outcome itself. e.g. "I don't care what the final decision is as long as you listen to my side of the story and act fairly."

Identity Interests

- Identity-based needs are the needs that all of us have for autonomy, meaning and community in our lives, i.e. what people need to preserve a sense of who they are and their place in the world.



II. Conflict resolution skills



Primary Conflict Resolution Skills

- Active Listening



- Questioning



- Reframing



Active Listening

WHEN TO ACTIVE LISTEN:

- Before reacting, responding, arguing, blaming or criticizing
- Whenever the speaker is expressing strong feelings or a pressure to talk
- When the speaker needs to sort out his or her feelings or thoughts

How to Active Listen: Four Basic Steps

1. Concentrate fully on what is being said and the way in which it is being said. Pay particular attention to all non-verbal indicators such as tone of voice, facial expressions, gestures, posture, etc.
2. Identify the major content of the speaker's message – the speaker's main thoughts and ideas – as well as the accompanying affect, i.e. the speaker's feelings about what is being said.
3. Paraphrase (i.e. restate in your own words) what you believe to be the central ideas that the speaker is communicating, along with the accompanying feelings, using words of a comparable emotional intensity.
4. Listen for the speaker's response, either confirming that you have heard and understood accurately or correcting your misunderstanding. If your first response was not accurate, try again.



Active Listening

- Try putting yourself in the other person's shoes to understand how he or she might be thinking and feeling.
- Resist the temptation to argue, interrupt or finish the speaker's sentences for him or her.
- Do not offer advice, give suggestions or recount your own personal experiences to the speaker.
- Remain neutral (i.e. nonjudgmental) at all times.



Closed Questions

- The kind of question a lawyer uses on cross-examination to pin down a witness to a specific answer.
- The closed or “leading” question, as it is also called, narrows the focus of discussion, suggests the answer to the question or calls for a “black and white,” “yes or no,” “either/or” response.
- Frequently the leading question implies the particular thinking or values of the questioner, and makes an assumption about the expected response.
- Closed questions are useful when there is a need to clarify a response that is vague or unclear, to focus the attention of the person being questioned, or to bring closure to a discussion.
- Closed questions are not all that helpful in exploring or probing the matter under discussion because they foreclose other possible responses.

Some examples of closed questions are:

“Isn’t is true that . . . ?”
“Don’t you agree that . . . ?”
“Do you believe that . . . ?”
“Are you sure that . . . ?”



Open Questions

- The type of open-ended or journalistic question that encourages the broadest possible response.
- Open-ended questions are non-directive, they do not suggest the thinking or values of the questioner.
- Open-ended questions usually begin with the words “what” “why” “when” “where” or “how.”
- Questions beginning with “why” may elicit a negative or defensive response, since they are often perceived as evaluation or judgmental in nature.
- Open-ended questions are especially useful at the beginning of a discussion when you are seeking to obtain the maximum amount of information.

Some examples of open-ended questions are:

“What happened to lead you to make a complaint?”
“On what basis did you believe that you were being treated unfairly?”
“When did you start to feel uncomfortable?”
“How did you respond to his behaviour?”
“In what way did you feel threatened?”



Reframing

- This skill involves restating an emotionally charged, negative statement and turning it into a neutral or even positive statement, while retaining the essential content of the speaker's message.
- Reframing is used to de-escalate and control conflict, to facilitate positive communication and constructive problem-solving, to identify the interests underlying stated positions, to moderate demands, and to eliminate negative, value-laden language from communications.
- The reframed statement is put in terms that can be heard and understood by all, rather than simply reacted to.

Examples of reframed statements are as follows:

Statement (said angrily): "I'm not going to sit here and listen to these crazy accusations."

Reframed as: "You'd like to take some more positive action to deal with the issues."



III. An interest-based model for resolving conflicts



Interest-Based Conflict Resolution

- Separate the People from the Problem
- Focus on Interests, not Positions
- Invent Options for Mutual Gain
- Use Mutually Acceptable Objective Criteria
- Develop the “Best Alternative to a Negotiated Settlement” (BATNA) and the “Worst Alternative to a Negotiated Settlement”



Stages of an Interest-Based Model for Conflict Resolution

Stage 1: Pre-Negotiations - Conduct a Culturally-sensitive Assessment of the Situation

Stage 2: Set a Positive Environment for Conflict Resolution

Stage 3: Define the Issues

Stage 4: Explore the Underlying Interests of Both Disputants

Stage 5: Problem Solve

Stage 6: Implementation



IV. Role Play Sponsor/Newcomer Conflict

