

Book review

The Conflict Paradox: Seven Dilemmas at the Core of Disputes

By Professor Bernie Mayer

Getting to the heart of the conflict

By Catherine Gillespie¹

Abstract

Catherine Gillespie appraises The Conflict Paradox: Seven Dilemmas at the Core of Disputes by Professor Bernie Mayer. Readers will appreciate Ms Gillespie's comprehensive consideration of the text's knowledgeable and practical advice in relation to supporting parties engaged in a dispute to uncover and explore each party's interests which underpin their stance.

'The Conflict Paradox: Seven Dilemmas at the Core of Disputes' is written by Professor Bernie Mayer, Lecturer in Negotiation and Dispute Resolution at Creighton University. The book offers the insights he has gathered, tested, and reflected upon over 30+ years of working in these fields.

Prof Mayer poses that 'to get to the heart of conflict' there are many layers that must be recognized and addressed in some way before the conflict itself can be addressed. Disputants present with many layers of apparent complexity – as humans, as humans in dispute, and often as humans presenting with internal dilemmas that can in themselves present as paradoxes.

The position stance

Parties in mediation often start discussions by presenting their 'positions' or entrenched stance on the matters in dispute. It is well known that to move towards resolution, it can be helpful to facilitate discussions that uncover and explore each party's interests which underpin their position stance. Interests can be thought of as the internal hidden framework of a building compared with the evident external features of the building (the position stance).

However Prof Mayer encourages mediators to go beyond uncovering and discussing interests, to support parties to come face to face with what they really want, and what we are really offering as mediators. Often a less mindful mediator will analyse the parties and their conflict and manage the mediation through their own layers of complexity and their own frameworks—how they view things, what they believe they have to offer, their preferred style and processes and their sense of what they bring to the table.

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Essentially every aspect of conflict has the potential to have more depth and complexity than what the limiting views of each party in dispute and the mediator impose on the conflict.

For example:

- Not spending enough time to explore interests may mean that not all substantive, psychological and procedural interests are identified and discussed;
- The dimensions of conflict (behavioural, emotional and cognitive) are not considered;
- The use of overt and covert assertions of power are not recognised; and
- The tensions caused by paradoxes within the conflict can remain.

The seven paradoxes

Prof Mayer believes there are seven paradoxes to conflict that create a framework we might use in order to make sense of conflict. Each paradox poses a dilemma for how one approaches conflict, thinks about conflict and tries to find solutions to move forward.

The paradoxes are viewed as presenting difficult choices between two alternatives—that present as polarities such that one must make a choice between one polarity and the other to be able to move forward. Yet for many individuals in dispute neither of the polar alternatives within each paradox forms an entirely acceptable solution for them.

Prof Mayer has identified these paradoxes as:

- Competition and Cooperation
- Optimism and Realism
- Avoidance and Engagement
- Principle and Compromise
- Emotion and Logic
- Neutrality and Advocacy
- Community and Autonomy.

He poses that as we grow in our ability to manage conflict, we realise that we do not have to choose one of the two alternatives to each paradox. But instead we can learn to identify how one polarity actually requires the existence of its opposite—that we don't have to choose one over the other but instead learn to become comfortable with understanding and working with their co-dependent reality.

The pursuit of power

Prof Mayer noted that unless a person is prepared to deeply explore why they exert their power in an aggressive or escalated fashion, their attempts to pursue power to achieve the outcomes they believe they must have (even at an unconscious level) will still play out.

For example in work situations where such behaviour may not be identified and addressed as a breach of policy, others may do well to learn to respond with an exertion of power delivered in a constructive manner and not accommodate or appear to accept the ramifications of a co-worker's demands.

Those who allow themselves to 'feel pushed around' or negatively affected by someone else's assertion of power can very easily become provoked and themselves display inappropriate behaviours.

De-escalation of conflict

Constructively addressing conflict requires each party to:

- First engage with their own conflict within the conflict situation;
- Experience some transformation in how they make sense of the conflict in order to fundamentally change the way they approach conflict and think about a solution; and
- Be prepared to resolve the situation by finding collaborative means to communicate and problem solve.

Prof Mayer states that sometimes aspects of a dispute may be enduring and so finding ways to resolve or eradicate those factors may be futile. However highlighting those enduring factors and finding ways to minimise the negative impact of those factors can be extremely helpful in assisting parties to be prepared to move forward.

So while a mediator seeks to support processes with the aim of achieving resolution, it could well be that de-escalation of conflict and finding agreed strategies to inhibit future escalation may be the best available outcome with the greatest potential for sustainability.

In my experiences as a Mediator, Conflict Coach and Conflict Management Workshop Facilitator, I have found that conflict with another person (interpersonal conflict) is triggered firstly by conflict within oneself (intrapersonal conflict) and then escalated by that person's lack of skill in constructively addressing and resolving the situation with the other person/s involved.

Hence Prof Mayer's first two listed steps to achieving the de-escalation of conflict resonate soundly with the experiences in my practice and indicate to me that the resolution of conflict has the best opportunity of success if the mediating parties firstly participate in a conflict coaching process (which may be offered to each individual by the Mediator or a qualified coach who is independent of the mediation process). Further understanding of 'conflict coaching' can be gained by reading a number of related articles posted on mediate.com.

Prof Mayer assists Mediators to see the mediation process as more than following a series of steps which structure the meeting discussion aimed at channelling parties towards resolution. The mediation process is also about offering each party a transformational experience through which their mindset can be expanded to better understand themselves, how they have contributed to the initial dispute situation and how they (not solely the other party) may have hindered progress towards resolution. Armed with new insights, participants are more likely to be willing and skilled to contribute to a collaborative and constructive outcome.