

North American Street Newspaper Association (NASNA)

Session #1

Conflict Resolution

Notes

Presenter: Roy Maddock, Center for Conflict Resolution, Chicago

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Roy: [The Center for Conflict Resolution offers] a free mediation service to people in conflict willing to come and talk and walk out with a written agreement. We also work closely with the court system in Chicago. We go there on the day of court in lawsuits. Judges give us some time [prior to the start of the trial] and we try to resolve the conflict instead of having to go in front of a judge.

Where there are agreements, agreements bring durability because the parties want the agreement, so it tends to stick.

I'm here to share some of the things we do to prove it really works. There are strategies you can do when things get sticky in a conflict with someone. I've tried to practice this in my own life – sometimes it doesn't work.

We're going to do some interactive exercises.

First, let's try a quick game. We're going to be arm-wrestling, but not with too much force. The point of the game – imagine that I came here with a huge bag of peanuts or something you like, a small prize. In 30 seconds, you each will get a point every time that you manage to pull the other person's arm down and touch the table. Don't hurt yourselves.

[The exercise begins. One pair of delegates begins rapidly counting the number of times they mutually bring their hands to the table – more than 30 times.]

[At the end of the exercise, the presenter asks others to discuss how they did. One pair reports a score of 2-0. Another reports 3-0.]

What was going on? What were the rules? "You get a point every time you touch your hand on the table." What is the point of the exercise?

One person says we have a tendency to fight first to get our way without realizing it isn't necessary.

Roy: Every day I go to the Conflict Resolution Center and people give me a look that says this is not going to work, there's nothing you can do to change the other person's mind. But we're not trying to get them to fight over the same issue or say who wins. We're trying to get people to listen to each other's needs. What do you need and what do you need?

Keep that mind. I'll keep referring to this concept. When I'm in mediation, I ask what do you need coming out of this room today and then I repeat what I understand back to them and ask did I get that right? I'll ask and they can tell me. It's that you didn't need your car fixed, you needed your money back.

Once you have what each person's needs, you can start the resolution process.

Another exercise: Talk about a time or situation when you felt like someone else offended or hurt you or pissed you off and you felt you were a victim of the situation. You have 1 minute each.

[Pairs of delegates tell their stories to one another. Below is one exchange.]

Lisa to Amy: I had an auto insurance situation where I backed into a car parked near my driveway – twice. It was \$60. The next time was \$100. On that one, I turned it into the insurance company. Both times I left a note on the cars I backed into.

I didn't realize I was paying higher rates for telling the truth. I hit the roof. It just irritated me. I remember being angry about it. I wrote to the company, saying I have no citations and I speak the truth and this is how you reward me? A few weeks later, I got a \$300 refund check for the overpayment that I made.

End of exercise. Roy: Could someone share their story?

Becky: Recently my neighbors cut off my garden hose and broke into my gas can [or tank?]. I contacted the police and felt re-victimized after they refused to come after 11 cars had gas taken.

Roy: In this situation, what were your feelings and needs? [He lists responses on the chalkboard.]

<u>Feelings</u>	<u>Needs</u>
Violated	Acknowledgement
Disrespect	Legal redress
Not being heard	Understanding
Anger	Getting the gas back
Worry	Financial compensation
Fear	Situation must stop
Frustration	

We're going to repeat the exercise. This time, tell your partner about a time when you were the offender, when someone else thought you were the offender.

[Pairs of delegates tell their stories to another. Below is one exchange.]

Lisa: Someone asked me out in high school and everyone was going to Six Flags. I really didn't want to go and my friend convinced to go but I didn't want to be there. In two hours, I said I wanted to go home. That made him angry.

Amy: when I was in 7th-8th grade, I was dorky and got picked on a lot. Then I was accepted and I picked on another dorky guy. I thought what an ass.

End of exercise.

Roy: I was recently driving my car to a suburban courthouse and I got to a 4-way stop and a person was crossing the street slowly. The person behind me starts honking and keeps honking. I open my window and flip them off. The car behind me started shaking. The driver went ballistic, the car was like a boat. I clearly got on that person's nerves.

In this situation, as an offender, what were your feelings and needs? [He lists the responses on the chalkboard.]

<u>Feelings</u>	<u>Needs</u>
Ashamed	Support
Afraid	Peace
Out of control	Patience
Disgust	Self-awareness
Justified	Need to be heard
Happy	Need to walk away
Exhilarated	Self-control
Avenged	Respect
My needs more important	Need to feel better about myself
Selfish but satisfied	Feel better
Lesson learned	Closure
Angry	

Closure is a big issue. Whatever the issue is, people want closure.

Compare the list for victim and offender. Read the lists again – they're the same or similar. Which are same or similar?

Fear
To be heard / acknowledged
Anger, frustration
Support, understanding

We were just two different people here. In situations where someone else is controlling the situation like a judge or policeman or security officer at a high school or a boss or someone in human resources, they have two people in front of them and they don't look at the two people as experiencing the same thing. A judge will pick a winner and a loser. We rarely look at it as two victims. But if you look at a conflict, there's usually a timeline where victim and offender go back and forth.

Michael: It's opposite sides of the coin. You will have an aggressor in the situation who thinks they're 100 percent right.

Roy: What else do you see? Someone says they both want the same thing

Roy: It helps if you're able to articulate what the other person needs.

Amy: There are times I wouldn't identify myself that way [as the offender.] I would assume a lot of times, nobody takes responsibility for being the offender.

Roy: The only time that happens is in a full, drawn-out mediation process of 3-4 hours. The power of listening is just amazing. A person is able to parse it out and realize, oh, wait, it's not that you hate me or think I'm an asshole, it's this one thing I did that triggered you – like not answering your calls for three days. Those moments can be very powerful.

Our job as mediators is to role-model to two people who haven't heard each other. In the first-half hour of a mediation, my first job is to show how it's done. You have to prove you're listening and articulate that. It can be annoying or ridiculous saying things like let me make sure I got this right – you need for me not to touch your property and ask you if we have a problem with the garden. You have to figure out what the person needs and articulate it.

The person can then correct you, so you get closer to stating what they need. My job is to keep doing that. I'm not a detective trying to sort out the facts of what happened. I'm asking simple questions. I want to know what part of the conflict was the part that really hurt you.

True empathy will only come when you get it. Most people say, "You just don't get it."

Tom: The typical situation I might run into could be two vendors saying he did this, he did this, this person shouldn't tell me what to do. I'm a mediator (and an authority figure). Then you would have the situation where someone complained about a vendor and they come in to buy papers and I say we need to talk about this complaint. I'm not trying to get the business owner to sit down, I'm trying to do damage control for the paper and perhaps discipline the vendor. I'm in conflict with them. The vendor says I've had no say. So I would be in both situations.

Michael: I'm also a vendor and writer. You need recourses for both sides. You want to hear both sides.

Roy: People don't normally see themselves in conflict – they say you're in conflict. What are other techniques you've used?

A delegate: To say, I understand what you're saying, "but." I may not believe what you're feeling is correct, but I understand where you're coming from.

Roy: We call those "I" statements.

A delegate: I feel irritated that I keep getting complaints about this behavior. I'm getting frustrated, I don't know what to do.

Roy: This is how my job feels right now.

Becky: I like to take the approach of what's going on in their lives. Conflict usually has very little to do with what's going on at the scene. I ask what would you like to see? I try to come to a place where both will be satisfied. One of the big things I do, though, is what's going on in your life that this situation happened? How did this come to this point? And allowing them to problem-solve as a team.

Roy: Part of that would be called rapport-building. Instead of saying I'm going to make decisions for you, you say what's up? You're asking an open question. You're getting a lot more information that paints the whole picture.

Tom: One thing I've heard used is the question is it reasonable for me to expect this person to act differently? Or it is reasonable to expect to do what I want them to do? Once someone can ask that question in the conflict it's very freeing. Sometimes what I want is unreasonable – I want them to move out of the country. You have to ask yourself what would be reasonable to expect?

Roy: Part of my mediator training was learning non-attachment to the outcome. Before that, brainstorm, get clarification, reframe (repeating back, making sure you're clear about what most frustrated or angered you) and then being able to finally say that you can point out what the need is. What you need is this. Once you have that, you have a lot of leverage.

[For example] what you need today is not compensation but an apology. And you need your turf not to be stepped on. It gets them past the position [they were stuck in].

Once you can state you need this and you need this, you can turn to what are our options? It's a slow process, but it frees you from making a decision for them. The starting position I usually hear is something like I'm going to sue you and get \$5,000. First of all, it's not what they really need. They really need a car to get to work.

At that point, you can start looking at the options and test them out. How would this one play out? What do you think?

Tara: I find a lot working with vendors that you're dealing with a population always being treated as criminal and a bad person. A situation I once diffused is a vendor got his backpack stolen in the office and days later another vendor walked in with it and there was a huge uproar. I said to the second guy I know you didn't take his backpack. I can vouch for that. And to the first guy I could say I know you were really upset your backpack was stolen, but I know this guy wasn't involved – it's not your stuff in the backpack.

People start looking at each other as the enemy, forgetting that we're all struggling and that you're not mad at him, you're mad at the backpack being stolen.

Roy: I'm hearing you create a safety net to discuss the problem. You will have to gauge what safety is. No. 1 – you need to feel safe. If you do and they do, they could be telling each other things that aren't nice – for instance, I didn't like people going through my stuff. A lot of times

what you're doing is not just getting that person to hear but both people to find the right things to say. We get into a defensive place and there's no safe place to talk.

Michael: At another organization I belong to, they act like immature children – the president and board members. Someone makes a proposal for something and the president wants to argue about specifics or bylaws.

The last meeting I went to, there was a chart on the wall of what people's roles are and people were standing up name-calling. I sat there and had talked to both groups and asked if they could agree on anything and it just got worse. I told them to shut up, not in those words. I say I grew up in a gang in Chicago and I never, ever heard people disrespect each other like that. These are grown men that have so much anger and disdain for each little group. Everyone is plotting. One guy in charge of one thing doesn't want another to get in his space. Egotism gets in the way. I've learned you have to have the room to grow and listen.

Roy: It's always hard with large groups. It helps in any setting to keep the objective in mind.

An example: I was in a mediation at a courthouse with family members. I was hearing ugly things. There was a grandfather and his son. On the other side was another son and his son (a grandchild). I couldn't understand a word they were saying, the way they spoke. The grandfather was saying things like you were a liar since you were little to the son with the child. I'm trying everything. Let me reframe. It doesn't do anything – they're immune. It's coming to the end, I'm in a cold sweat. I asked one final question: If you guys could come to any agreement, what would it be? And they all stopped and said, OK, we could get together on Sundays and have a barbecue.

They were talking so mean I couldn't imagine that. It's about perception – your role is to ask as many open-ended questions as you can.

When they told they were going to get together on Sundays, after what they'd been saying to each other, it was just normal for them. They'd been doing it for years. I said, oh, you guys want to be a family again. They said yeah. That was the common ground. From that point, it was just negotiation over some money that was owed.

A recap of what we did today:

The arm-wresting exercise: Turn conflict into opportunity. It doesn't mean a happy ending. Opportunity means going from bad to something you can live with. Can you walk away with this agreement?

The victim/offender exercise: Remember how we respond to conflict and that the other person is doing the same thing. They're having similar reactions.

Why does conflict occur? It's about perception. The only way to combat perception is to keep asking open-ended questions about what was going through their head.

The website of the Center for Conflict Resolution is at www.ccrchicago.org.