

מועצת הנגב

مجلس النقب Negev Council

Conflict & Consensus

.Peace is not absence of conflict, it is the ability to handle conflict by peaceful means
Ronald Reagan -

Pasmanik, David

טוב לנגב, מצוין לישראל.

Contents

1. Terminology

- 1.1 Peace
- 1.2 Conflict Prevention
- 1.3 Conflict Management
- 1.4 Conflict Settlement
- 1.5 Conflict Transformation
- 1.6 Cooperative Problem-Solving
- 1.7 Negotiation
- 1.8 Mediation
- 1.9 Facilitation

2. Conflict Theory

- 2.1 Causes of Conflict
- 2.2 Function and Positive Aspects of Conflict
- 2.3 Analytical Tools: The Circle of Conflict

3. Consensus

- 1. Consensus as a Concept

4. Negotiation Strategies

- 4.1 Negotiation as a Conflict Resolution Tool
- 4.2 Example Strategy
- 4.3 Positional Negotiation
- 4.4 The Positional Negotiation Process
- 4.5 Interest Based Negotiation
- 4.6 The Interest-Based Negotiation Process

5. Reference

Conflicts are a natural part of human repertoire on all levels of human interaction – from interpersonal to interstate level. In all the conflicts, persons, as individuals, or as society members, perceive that their goals or interests are contradicted by goals, or interests, of the other party. There is no doubt that conflicts are real experiences for people involved, and when we focus on intergroup conflicts, they concern contradicted concrete goals in the domains of territories, resources, trade, self-determination, religious rights, cultural values, and so on. But, a conflict becomes a reality for society members only when a particular situation is identified as conflictive by them. This perception is a crucial condition for the outbreak of the conflict and serves as a basis for its further evolvement. serves as a

Daniel Bar-Tal Tel-Aviv University

1. Terminology

PEACE

Definition - Peace does not mean the total absence of any conflict. It means the absence of violence in all its forms and the unfolding of conflict in a constructive way. Peace therefore exists where people are interacting non-violently and are managing their conflict positively - with respectful attention to the legitimate needs and interests of all concerned. **UN**

1. Sub-Categories of Peace

A. Negative Peace - Negative peace refers to the absence of violence. When, for example, a ceasefire is enacted, a negative peace will ensue. It is negative because something undesirable stopped happening (e.g. the violence stopped, the oppression ended).

B. Positive Peace - Positive peace is filled with positive content such as the restoration of relationships, the creation of social systems that serve the needs of the whole population and the constructive resolution of conflict.

2. Conflict Prevention

Definition- Activities that seek to prevent a dispute from becoming violent

3. Conflict management

Definition- Activities that seek to stop, cool down or prevent further escalation of the violence and prepare the ground for a settlement. May involve peacekeeping, pre-negotiation, confidence-building measures, humanitarian and relief intervention.

4. Conflict Settlement

Definition- activities that seek to arrive at an agreement on the identified issues around which the parties are in conflict. May involve task-force discussions, negotiation, mediation, arbitration and other activities of peacemaking.

5. conflict transformation

Definition - activities that seek to change the conditions that give rise to the underlying root causes of the conflict, to prevent the outbreak of further violence, and to sustain a transformation from conflict-habituated to peace-oriented systems over time. May involve processes from all the other areas listed above, plus activities of nation-building, national reconciliation and healing, change agent and social transformation.

1. Additional Notes

A. These activities occur with different parties. Conflict prevention, conflict management, and conflict settlement are generally legal, military, and political activities that involve officials from those fields.

B. Conflict resolution and conflict transformation can also involve officials, but are deeply socially- or community-based activities that involve highly motivated and committed people from many disciplines.

C. All these conflict activities can occur simultaneously. Coordination and cooperation between the parties involved in each can enhance the whole process.

6. Cooperative Problem-Solving

Definition- An unassisted procedure which includes formal or informal discussions between individuals or groups. With this process parties work jointly to determine the nature of their

differences and look for creative alternatives which will allow them to meet their needs, desires or concerns. Parties using cooperative problem-solving do not need to have an especially strong relationship but they must acknowledge a need to collaborate with one another to resolve their differences

7. Negotiation

Definition- refers to either competitive processes (positional negotiation) or cooperative efforts (interest-based negotiation)

1. Sub-Categories of Negotiation

A. Positional Negotiation - parties make offers and counter-offers which they feel will resolve the conflict. These exchanges of offers typically start to converge on a solution which both parties find acceptable.

a. Success at positional negotiation is based on a party's ability to bluff the other party about its positions of strength and weakness in order to gain an outcome which is in their favor

B. Interest-Based Negotiation - designed for parties who have a need to create or maintain healthy relationships. In this type of process, parties discuss the issues which face them and express the interests, values and needs that they bring to the table.

a. Instead of focusing on competitive measures and winning the negotiation, parties collaborate by looking to create solutions which maximize the meeting of their interests, values and needs

8. Mediation

Definition - refers to a process through which a third party provides procedural assistance to help individuals or groups in conflict to resolve their differences. Mediation processes vary throughout the world in form and underlying philosophy.

1. Regional Distinctions

A. In many Western countries, the mediator is usually an independent, impartial person who has no decision-making authority.

B. In other societies, it may be more important that the mediator is known and trusted by the parties rather than being seen as impartial.

1. Additional Notes

A. Mediation is a voluntary process and its success is linked to the vesting of decision-making authority in the parties involved in the dispute.

B. The mediator structures the process in a way which creates a safe environment for parties to discuss the conflict and find solutions which will meet their interests.

9. Facilitation

Definition- an assisted process which is similar to mediation in its objectives; however, facilitated processes typically do not adhere to a tightly defined procedure. In this type of proceeding, the facilitator works with parties to increase the effectiveness of their communication and problem-solving abilities.

1. Additional Notes

A. The facilitator may be either a third party or a person within one of the groups who is able to provide procedural assistance and to refrain from entering into the substance of the discussion.

10. arbitration

Definition- is a form of dispute resolution where a third party makes the decision on the outcome of dispute. Typically, the parties appoint the arbitrator to render this decision. The arbitrator's decision is either binding or non-binding on the parties depending on the arrangement made prior to entering the

arbitration process

1. Additional Notes

A. Non-binding arbitration is frequently used to assist parties who are deadlocked on a certain issue. While there is no obligation for parties to accept the outcome, the weight of the arbitrator's decision may provide the impetus for parties to reconsider their settlement options.

2. CONFLICT THEORY

1. Causes of Conflict

A. Data or Information Conflict

Involves lack of information and misinformation, as well as differing views on what data are relevant, the interpretation of that data and how the assessment is performed.

B. Relationship Conflict

- Results from strong emotions, stereotypes, miscommunication and repetitive negative behavior. It is this type of conflict which often provides fuel for disputes and can promote destructive conflict even when the conditions to resolve the other sources of conflict can be met.

C. Value Conflict

- Arises over ideological differences or differing standards on evaluation of ideas or behaviors. The actual or perceived differences in values do not necessarily lead to conflict. It is only when values are imposed on groups or groups are prevented from upholding their value systems that conflict arises

D. Structural Conflict

- Caused by unequal or unfair distributions of power and resources. Time constraints, destructive patterns of interaction and uncondusive geographical or environmental factors contribute to structural conflict.

E. Interest Conflict

- Involves actual or perceived competition over interests, such as resources, the way a dispute is to be resolved, or perceptions of trust and fairness.

2. Causes of Conflict

1. **Excerpts from** The Functions of Social Conflict. Such expression maintains relationships under conditions of stress and thereby prevents group dissolution. Coser Conflict "clears the air" and allows for the free behavioral expression of hostile dispositions. Coser "Safety-Valve theory" of conflict, according to which conflict serves as an outlet for hostilities so that relationships between antagonists can be maintained. Coser While conflict changes the terms of a relationship, mere hostility need not have such effects. In addition, hostility may sometimes be deflected onto "substitute objects" rather than the primary sources of opposition. Coser

2. Fundamental Theories by Coser supported by the U.N

1. Conflict helps establish our identity and independence

A. Conflicts, especially at earlier stages of your life, help you assert your personal identity as separate from the aspirations, beliefs and behaviours of those around you.

3. Intensity of conflict demonstrates the closeness and importance of relationships.

A. Intimate relationships require us to express opposing feelings such as love and anger. The coexistence of these emotions in a relationship create a sharpness when conflicts arise. While the intensity of emotions can threaten the relationship, if they are dealt with constructively, they also help us measure the depth and importance of the relationship.

4. Conflict can build new relationships

A. At times, conflict brings together people who did not have a previous relationship. During the process of conflict and its resolution, these parties may find out that they have common

5. Conflict can create coalitions

A. Similar to building relationships, sometimes adversaries come together to build coalitions to achieve common goals or fend off a common threat. During the conflict, previous antagonism is suppressed to work towards these greater goals

6. Conflict serves as a safety-valve mechanism which helps to sustain relationships

A. Relationships which repress disagreement or conflict grow rigid over time, making them brittle. Exchanges of conflict, at times through the assistance of a third-party, allows people to vent pent-up hostility and reduce tension in a relationship.

7. Conflict helps parties assess each other's power and can work to redistribute power in a system of conflict

A. Because there are few ways to truly measure the power of the other party, conflicts sometimes arise to allow parties to assess one another's strength. In cases where there is an imbalance of power, a party may seek ways to increase its internal power. This process can often change the nature of power within the conflict system.

8. Conflict establishes and maintains group identities

A. Groups in conflict tend to create clearer boundaries which help members determine who is part of the “in-group” and who is part of the “out-group”. In this way, conflict can help individuals understand how they are part of a certain group and mobilize them to take action to defend the group’s interests

9. Conflicts enhance group cohesion through issue and belief clarification.

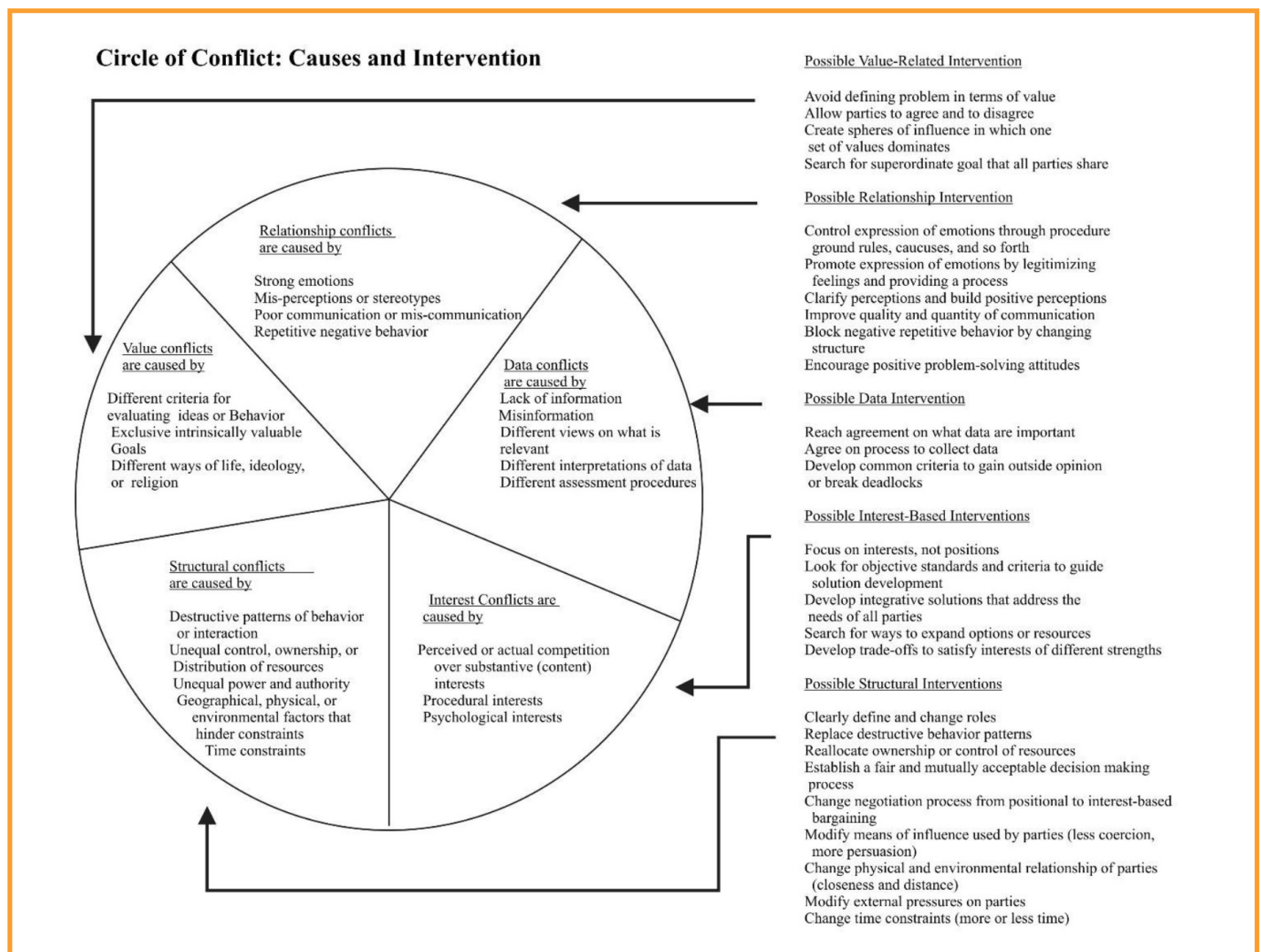
A. When a group is threatened, its members pull together in solidarity. As they clarify issues and beliefs, renegades and dissenters are weeded out of the group, creating a more sharply defined ideology on which all members agree

10 . Conflict creates or modifies rules, norms, laws and institutions

A. It is through the raising of issues that rules, norms, laws and institutions are changed or created. Problems or frustrations left unexpressed result in the maintaining of the status quo.

3. Analytical Tools: The Circle of Conflict

A commonly used model for understanding causes of conflict was developed in the 1980s by Chris Moore and colleagues at CDR Associates in Boulder, Colorado. The “Circle of Conflict” (Moore, 1986) describes five categories of conflict: data, relationship, value, structure and interest. Specific conflict situations will often involve elements from more than one of the five categories. Following is an overview of Moore’s “Circle of Conflict”. By examining a conflict and evaluating it according to the five categories we can begin to determine what causes the dispute, identify what sector is primary, and assess whether the cause is a genuine incompatibility of interests or perceptual problems of involved parties.



1. Brief description of each aspect of the circle

A. Data: Lack of information, misinformation, partial information, different interpretations of information, different assessment procedures

B. Relationship: Strong emotions, perceptions or stereotypes, poor communication, repetitive negative behaviors or encounters

C. Value: Different criteria for evaluating ideas or behaviors, exclusive intrinsically valuable goals, different ways of life, ideology and religion

D. Structure: Power, control, hierarchy, resources, mandates, policies, procedures, legislation, regulation

E. Interest: Needs or concerns; what is important to an individual or organization about how a situation is resolved

2. Methodology

A. The model can be used as a tool for diagnosing the components of the conflict and as a process-directing tool for facilitating resolution of the dispute.

B. It is important to fully analyze the conflict using all five conflict components and interests. However, when facilitating resolution, it is important to focus on the conflict's Data, Structure, and Interests.

C. Detract focus from Values, Relationship, and External/Moods, which are more difficult to resolve.

3. Value

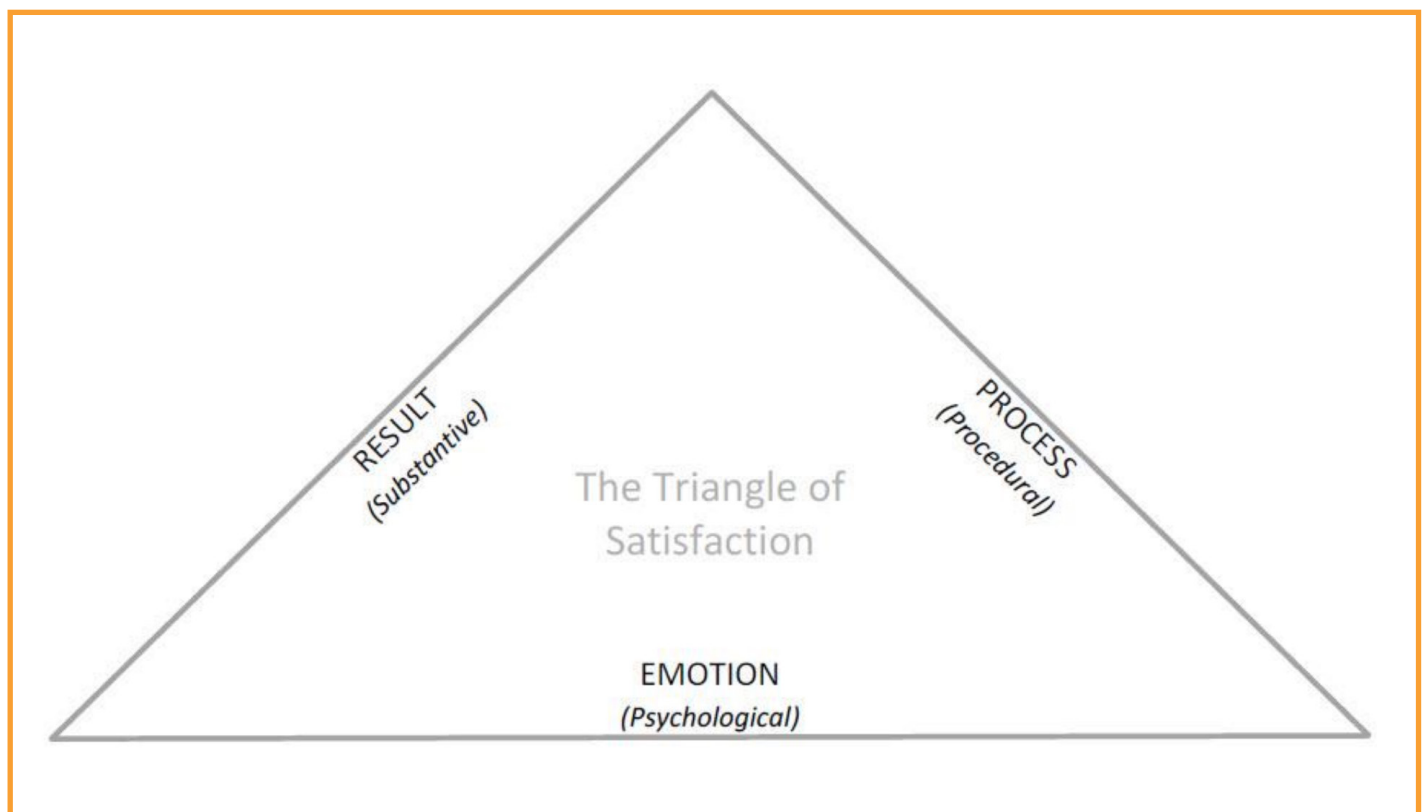
Definition: The Values section of the Circle of Conflict model “includes all the values and beliefs held by the parties that are contributing to the conflict.” The values can be what Furlong calls

“terminal or life defining values” or “day-to-day values.” Terminal values include religious beliefs, morals, ethical views, and beliefs arising from cultural norms. Day-to-day values include basic values like wearing seat belts, workplace values, politeness; etc. When values of two or more individuals or groups lead to the perception of incompatible aspirations, conflict ensues or is escalated.

4. Structure

Definition: The Structure section of the model represents three distinct drivers of conflict. Conflict occurring due to competition for limited resources, lack of authority to solve a problem, and divergent priorities within working groups are types of structural conflict.

5. Interests



3. Consensus

Many interactions in life are mixed-motive conflicts in which the collectively optimal outcome requires mutual cooperation but individual self-interest makes it tempting not to cooperate. Often each party would prefer to cooperate if the other party cooperates but not otherwise; efficient conflict resolution hinges, then, on whether the two negotiators can coordinate in cooperation

1. Consensus as a concept

Brief: Consensus is more than an abstract notion of agreement at the end of a discussion. Making decisions by consensus is a way to avoid or resolve conflict. It is a conflict avoidance method if it is used proactively, and if parties have the discipline to use the process in lieu of pursuing competitive strategies or assuming advocacy positions.

2. Challenges

A. What will happen when, despite the best efforts of participants, they are unable to reach consensus on a specific discussion topic?

1. Possible Steps

Overview: It is common in consensus decision processes for participants to think about what steps they will take if consensus cannot be achieved. These tend to form a continuum from the less intrusive to the more-intrusive. A relatively simple step might be to adjourn the discussion and allow participants more time to reflect. A more intrusive intervention is to refer the decision to the appropriate jurisdiction.

3. Notes and caveats to avoid

It should be noted that voting is not recommended as a fallback in cases where consensus is proving difficult to achieve. Although it may be used in some processes, it is generally not considered to be consistent with a commitment to consensus. If group members know that in the absence of consensus a vote will be taken, commitment can be reduced, and dialogue can reflect premature assumptions, alliance-building and polarization.

One possible facilitator of mutual cooperation is face-to-face contact. When seeking to work cooperatively, diplomats and business negotiators will travel across the world, enduring jet lag and unfamiliar surroundings, to hold a brief conversation in person rather than by telephone. Studies of managers handling everyday conflicts reveal a similar preference for face-to-face communication

4. Negotiation Strategies

When multiple agents are involved:

As new players are added to a conflict, the number of potential dyadic connections between player's increases exponentially. Different parties are likely to bring a variety of interests to the table, and simply understanding these interests, let alone finding ways to integrate them, can become an exceedingly complex task. Multiparty negotiations are situations in which a full understanding of the situation, with the variety of potential strategies and outcomes, may simply be impossible. Making the problem tractable often necessitates simplification of the structure or organization of the interaction, and there may be many justifiable ways to

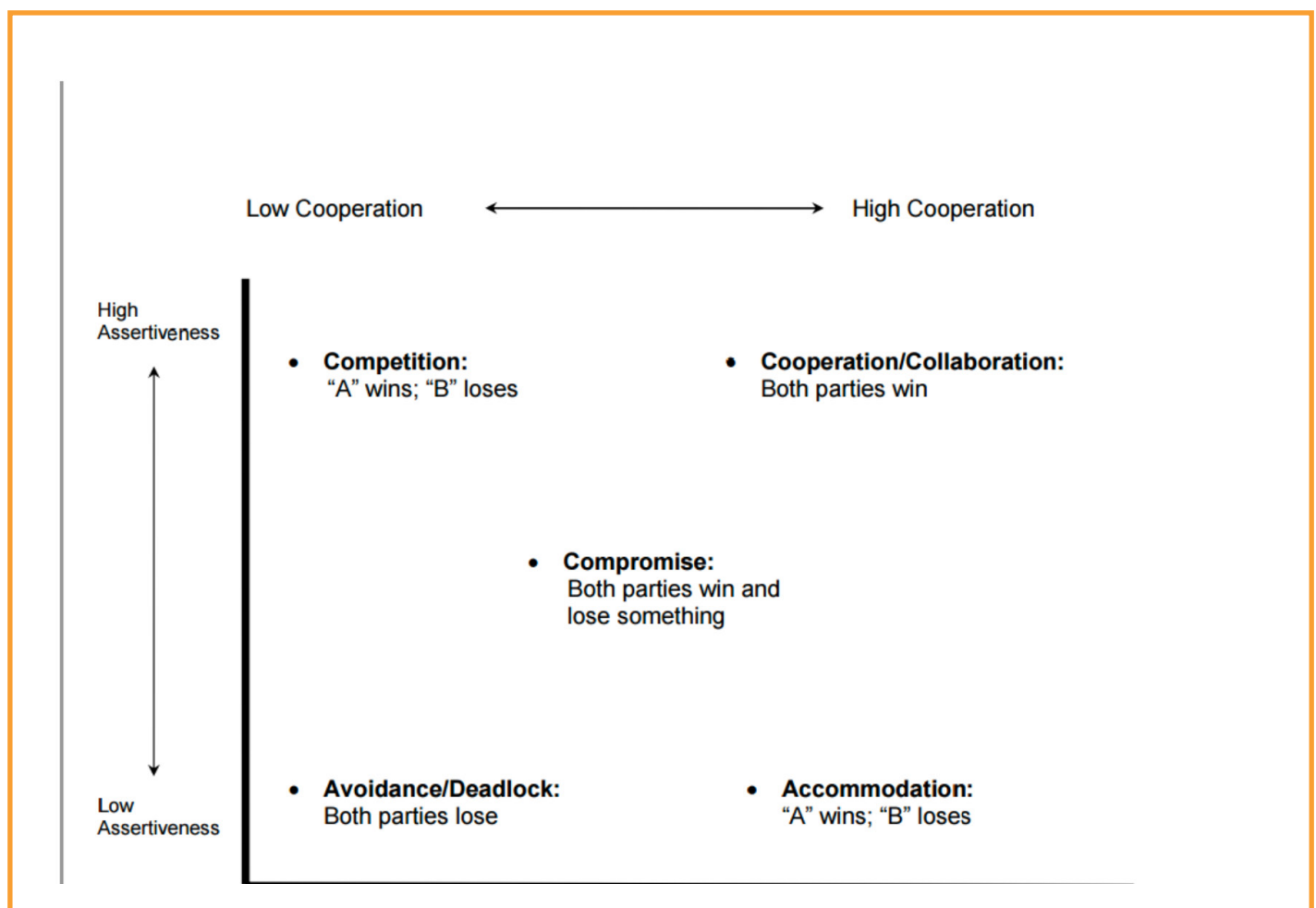
accomplish this simplification. Different ways will have different consequences for the outcome of the negotiation.

Developing a manageable understanding of the situation is essentially the problem of how people structure and define the negotiation game when there are more than two players.

1. Negotiation as a conflict resolution tool

Brief: Negotiation is a voluntary attempt to resolve conflicts that arise from competing needs, interests and goals. It is a problem solving approach in which parties seek agreement rather than resort to violence and force.

2. Example Strategy



3. Positional negotiation Overview

Definition: Positional negotiation refers to a competitive process in which parties make offers and counter-offers which they feel will resolve the conflict.

4. Interest-Based Negotiation

Definition: Designed for parties who have a need to create or maintain healthy relationships. In this type of process, parties discuss the issues that face them and express the interests, values and needs that they bring to the table

5. The Interest-Based Negotiation Process

1. Identifying substantive, psychological and procedural interests

a. What are the different interests that you are trying to meet through the negotiating process? Why are these needs important to you? Which interests are of greater/lesser priority to you? How can you communicate these needs and their importance to the other parties? Also try to determine the interests of the other parties? Why are they important to them? How do they prioritize their issues?

2. Getting Started

a. Instead of beginning with an opening offer as in positional negotiations, start with a period of time in which parties discuss the issues and educate one another on their interests, needs and concerns. Be explicit about your interests and those of the other parties. If other parties offer a position or solution, reframe it in terms of the interests they are trying to articulate

3. Managing The Issues

a. Clearly state the issues. Frame them in ways which are acceptable to all parties. Avoid stating issues in win/lose terms or in ways which suggest a certain outcome. Order the issues. Is there a logical order? Are there issues which are easily resolved? Can certain issues be grouped together?

4. Problem-solving and option generation

a. Jointly determine a strategy for problem-solving. Remind parties of the interests they and others bring to the negotiation. Generate options which will meet all or most of these interests. Separate the generation of options from evaluating them. Generate a range of options rather than focusing on one option at a time. Get parties to look at the problem from different perspectives.

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