Kluwer Mediation Blog

What Mediators Know (or Can’t Help Noticing) About Conflict

Charlie Irvine (University of Strathclyde) · Monday, January 12th, 2015

(This is the second of three parts of a keynote address to the YMCA Conference “From Reactions to Relations” in Burton on Trent on 20 November 2014)

Last month I wrote in this blog about the fact that mediators “can’t help noticing” certain things as a result of the work that we do. We are witnesses to an unusual form of human interaction, in

which we have at least two clients with opposing interests. It's a bit like riding two horses at once. This month I turn to what we can't help noticing about conflict. In the best tradition there are three.

What Mediators Can't Help Noticing About Conflict:

1. When conflict escalates – we are not very good at guessing other people's intentions

2. When conflict escalates – we underestimate our own contribution

3. The double edged sword of the supporter

1) When conflict escalates – we are not very good at guessing other people's intentions

We can't help noticing that, when our clients are asked about the other person's thinking or motives, they aren't very charitable. They tend to see only the evil adversary. And yet when it comes to their own behaviour they will explain away all kinds of provocative acts as inevitable, driven by the sheer badness of the other.

We are all subject to a phenomenon known as the fundamental attribution error: when seeking explanations for other people's behaviour we tend to underestimate the impact of the situation and overestimate their innate or inherent traits – "the way they are." For example, if I am driving and someone overtakes me at speed in the inside lane I am liable to guess that the driver is aggressive and impatient. I am *attributing* motives to a person I can't see and will never meet, based entirely on the trajectory of a vehicle. I can't know, for example, whether they are in a hurry on a mercy mission (his partner is on the way to the maternity hospital) or to out of consideration for someone else. I am even less likely to attribute their behaviour to MY contribution: perhaps I am driving unduly slowly in the outside lane, and the person is simply following all the other traffic in theirs. These would be *situational* explanations for the behaviour and we show a robust tendency to discount them when judging others.

This is compounded by the 'negativity effect': the tendency, when explaining the behavior of a someone we dislike, to attribute their positive behaviors to the environment and their negative behaviors to the person's inherent nature. This allows us to discount any well-intentioned or even ambiguous acts (for a fuller explanation see my earlier blog at http://kluwermediationblog.com/2012/06/13/aging-and-conflict-re-visiting-the-fundamental-attribution-error/)

So, when I am harmed or diminished by someone else's actions I am more likely to explain this behaviour by reference to their nature *("he's a bad guy")* than their situation *("she's having a bad day")*. Having done so, my own behaviour is in turn likely to reflect my judgement *("I had better be wary of this person.")* This can lead to a vicious circle of conflict: *"If you're seated at the negotiating table in the absolute, unshakable conviction that your counterpart is a stubborn and difficult character, you are likely to act in ways that will trigger and worsen those very behaviours"* (David Lax and James Sebenius, 2006, '3D Negotiation' Harvard Business School Press, p.81.)

2) When conflict escalates – we underestimate our own contribution

Suppose I am the one driving in the inside lane. I come up alongside a car travelling more slowly than mine. As I move forward to pass them I attribute my behaviour to the situation: "*they were*

going too slowly"; "I am late home"; "people like that shouldn't be allowed on the road." I tend not not to think that I am aggressive or impatient.

We are prone to another error: we see situations in the social world, but underestimate our contribution to them. For example, some of my clients are divorcing parents. One might say of the other: *"She doesn't care much about the kids; she can't even be civil to me in front of them."* When I speak to the other person she blames her incivility on the first person's shouting and banging the door. If I ask him about this, he would attribute the behaviour to her actions; she would attributes hers to his; and so on and so on. Each sees the other person's unreasonable and inexplicable behaviour, but appear to overlook the most obvious cause: their own actions. These "actor/observer differences" help explain why we are acutely conscious of offence caused to us by others but are often blithely unaware of the offence we give.

3) The double edged sword of the supporter

It is the most natural thing in the world to turn to a supporter when things are tough. They provide a listening ear and a shoulder to cry on. They might even challenge our thinking. Friedrich Glasl, in his nine stages of conflict escalation, names stage four as *Images and Coalitions: "In this stage, the parties actively try to enlist support from bystanders"*: (for a detailed exposition of Glasl's model see http://www.mediate.com/articles/jordan.cfm).

There is, however, one key flaw in the advice our supporters give us: we are their source. They generally only know what we tell them. So in a sense the supporter's perspective is often no more than the sum of our own biases and perceptual failings, but fed back to us in a sympathetic and plausible way. This leads to another vicious circle. The more people we tell about our conflict, the more support and reinforcement we receive, the more puzzling is the other person's perspective. Not only have they done me wrong, but everyone I know agrees with me!

It's as if each person in the conflict has a long chain of supporters standing behind them whispering *"Don't let them get away with it"; "Don't take any nonsense"; "Remember what happened last time."* That's why mediators often welcome supporters in the room: if they're part of the discussion they can also be part of the solution. To misapply Lyndon B Johnson's famous quote: "It's probably better to have him inside the tent pissing out, than outside the tent pissing in."

And what's the tonic for all of this? My purpose is not to suggest that mediators have a better chance of evading these traps. Rather it's to sow the seeds of scepticism about our own judgements. Once immersed in conflict we do well to hold our views lightly. Then they can be revised and reviewed. I have noticed an interesting phenomenon about people in conflict. Before a mediation they often say something like *"What needs to happen is for her/him to change."* After a successful resolution they will say *"I have really changed my view."* This seems to be another bias, specially formulated for mediation: we overestimate our power to change others and underestimate our capacity to change ourselves. Perhaps we should call it the *"transformation bias"*.

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