Kluwer Mediation Blog

More Reflections on Trust

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It is the beginning of the school term at the Faculty of Law, National University of Singapore, where in this semester, I teach a Negotiation Workshop. In our first class yesterday, we played a pricing game based on the Prisoner's Dilemma. There are many versions of this pricing game and it essentially introduces participants to a whole range of issues relating to conflict management and resolution including the building, breaking and re-building of trust.

I would like to spend this entry reflecting on trust. I had written an entry on "Trusting Thoughts" in August 2012 based on my experiences in Belfast. I would like to add to those thoughts in this entry in the hopes that it may help us as mediators when we seek to build trust with and between parties.

The first point relates to the nature of trust. We often talk of trust as something we gain, have or lose. Put another way, we speak of it as a concrete thing. However, "trust" does not exist as a thing in the physical world. Other than metaphorically, you cannot hold "trust" in the palm of your hand. The word and concept of trust is, in linguistic terms, an abstract noun or a nominalization. Stated simply, it is a continuing process of building or losing trust. Examples of other nominalizations are Love, Relationship, Integrity, Success and Mediation. Of course, at some point in the process of building trust, we may pass a threshold where we would say "I trust him/her" because we subjectively perceive that trust exists. This does not mean that we should stop the process of building and strengthening trust. Often, however, thinking that we somehow possess this thing called "trust", we do stop. And this is often when we get into trouble.

The second point relates to the subjective nature of establishing whether we have crossed the trust threshold. There are two aspects to this subjectivity. The first has already been alluded to. Every one has their own threshold for determining, where in the process of building trust, trust has been established. We can't help this and I am not sure there is a reliable way for us to establish, *vis a vis* each person, what this threshold is. It is important to recognize that this threshold exists and that it is different for different people. This is why, in a dyadic interaction, one person may feel that trust exists while the other doesn't. This threshold will also vary according to contexts. The threshold may be lower in relation to a new person and higher in relation to someone familiar who has already breached trust. The second aspect of subjectivity is what we look for. As individuals, we look for different criteria when determining whether the trust threshold has been established. Assuming that everyone shares the same criteria can lead to situations where we assume one party is being distrustful and difficult when it is simply a matter of that party's criteria not having been met. As a mediator, it may be useful to explicitly discuss one's criteria of trust so that expectations are clear and can be managed.

The third relates to the very human tendency of being biased favorably towards ourselves and not necessarily favorably towards others. We know we can be trusted. We know we are the good guy/gal. We are always the hero in our story. If we are the hero, and even if we acknowledge there are other heroes out there, there are also villains. Hence, it is natural for us to ask "Can I trust you?" And it constantly surprises me that even the most sophisticated, nuanced and empathetic among us forget that from the other person's point of view, they are asking the same question. And we could do worse than to ask ourselves from time to time, "Can you trust me?" Put another way, what behaviours am I engaging in that make me worthy of your trust (trustworthy) either by way of your subjective criteria or threshold?

Fourthly, and this relates to the process point about building trust, we often attribute trust to the warm, fuzzy feeling we have in respect of any particular individual. And this warm, fuzzy feeling may well correlate to the fact that, in respect of that individual, the threshold for trust has been met. However, experience has shown me, at the very least, that these warm, fuzzy feelings are not necessarily accurate or reliable. Oftentimes, confirmation bias, causes us to ignore contrary data. If we don't trust Sam, we will unconsciously ignore all data that Sam manifests to indicate that he can be trusted. The reverse is also true. If we trust Denise, we will unconsciously ignore all data that Denise manifests to indicate that she cannot be trusted. Perhaps the point is this: Lose your mind and come to your senses. A large part of trust building is about congruence, both simultaneous and serial. Simultaneous congruence is about being consistent at any one moment in time. Serial congruence is about being consistent over time. Mixed messages detract from trust building, and worse, can add to trust destruction. Therefore, if we put into context the warm, fuzzy feeling, I could well say that I trust someone who constantly lies. I can trust that person to lie even though I don't have that warm, fuzzy feeling.

And this takes us to the last point. And I am grateful to Thomas Schaub of CMPartners for this concept of strategic trust. Schaub makes a distinction between emotional trust and strategic trust. Emotional trust can broadly be equated to the warm fuzzies I referred to earlier. He correctly points out that emotional trust is binary (I trust you or I don't) and takes time to build. Sometimes, in the case of rebuilding trust, this may also be impossible. Strategic trust is more context-specific and is a function of how likely it is that one party will meet the interests of the other party. This likelihood is measured according to the level of Understanding, Ability and Willingness of one party to meet the interests of the other party. Expressed mathematically:

Strategic Trust = Understanding x Ability x Willingness

If we allocate a number (from 1-10) for each of these variables, we can derive a figure that measures how much we strategically trust someone in any particular situation. Clearly, if any of the three variables is "0", then there is no strategic trust.

This allows us, as mediators, to identify what the weak link is.

– If understanding on the part of one party is low, we can assist that party to better understand the other party's interests.
– If ability on the part of one party is low, we can assist that party in developing their abilities and options to meet the other party's interests.
– If willingness on the part of one party is low, we can find ways to incentivize and motivate that party based upon their interests, concerns or motivations.

As a mediator then, the key question is what behaviours can I encourage in the parties to build strategic trust? And successfully building strategic trust will build emotional trust over time.

I hope these reflections have given readers some food for thought and perhaps some ideas for improving our practice of mediation.

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