THE CONFLICT RESOLUTION TOOLBOX

Models and Maps for Analyzing, Diagnosing, and Resolving Conflict

SECOND EDITION

GARY T. FURLONG

Foreword by Dr. Christopher Moore
Partner, CDR Associates

WILEY

Praise for *The Conflict Resolution Toolbox, Second edition*

Gary Furlong's *The Conflict Resolution Toolbox, Second Edition,* with its new chapters on Reciprocity and Loss Aversion, is an outstanding book that clearly lays out the complex nature of interpersonal conflicts. This important and timely book will be particularly valuable for new and experienced conflict resolution practitioners, human resource managers, government and industry professionals, educators, students, and members of the public.

Marvin J. Huberman, LLB, LLM, FCIArb
President of the Alternative Dispute Resolution Institute of Ontario (ADRIO)

I found it hard to keep Gary's first edition of the *Conflict Resolution Toolbox* on my bookshelf, because I kept giving copies away to my colleagues and clients. The second edition, with two new chapters, has already helped me rethink my approach to a thorny situation. Gary has a unique gift for translating theory from the social sciences into a practical toolkit that is exceptionally valuable for managing conflict in our personal and work lives. If you have only one book on your bookshelf to guide you through complex relationships, this is the one.

Brenda Barker Scott, PhD
Educator, author, and organizational development consultant

The student and the seasoned dispute resolution professional will benefit from Gary Furlong's contribution to the field. In the new edition, he includes analysis of reciprocity and our human aversion to loss – succinctly adding new layers to the mediator's insight and strengthening the core of what we can bring to the table. This master of dispute resolution generously shares his gifts with us. We are grateful.

E. Newman
Mediator and arbitrator

The teachings in *The Conflict Resolution Toolbox* are explained through relatable real-life examples and have become an integral part of our joint management and union training program. In very simple and direct terms, Gary is able to cut through the stories, emotions, and disruption that come with human reactions to conflict and his *Toolbox* provides effective strategies to resolve these conflict situations. If you deal with people, you will ultimately be dealing with conflict and no one should do that without having this reference tool at their fingertips!

Laura Di Cesare
Director, Corporate Services
Middlesex-London Health Unit

I have used the *Conflict Resolution Toolbox* models and content in my alternate dispute resolution (ADR) practice for more than 10 years. It is one of my "go-to" sources for reflection when mediating challenging conflicts. The new models introduced in the second edition expand my "toolbox" in order to achieve stronger resolutions with clients. I highly recommend *The Conflict Resolution Toolbox* to mediators, coaches, and other ADR practitioners as a resource tool to help resolve their difficult conflicts.

Andrew D. Butt, C Med, C Arb
Past president, ADR Institute of Canada
TRIAD Conflict Management and Consulting

Gary Furlong's thoughtful book *The Conflict Resolution Toolbox* has been inspiring my ADR students to analyze and diagnose conflict with more breadth and depth for several years. Gary has synthesized a great deal of conflict theory into easily digestible chapters and visual models. His perspective inspires the reader to see conflict as transformative.

Dr. Carol Brown
Organizational development consultant
Associate Faculty, Royal Roads University

The second edition of Gary Furlong's *The Conflict Resolution Toolbox* is a welcome reminder that when sound theory is combined with superior practice skills the likelihood of resolution increases. Gary is a practitioner and trainer extraordinaire with a capacity to make complicated ideas accessible for everyone, from the ADR student to the seasoned practitioner. Both aspiring and experienced conflict resolution professionals would do well to read Gary's book and keep it close at hand as they work with their clients to reach resolution.

D. Paul Emond
Professor emeritus and founder, LLM in Dispute Resolution
Osgoode Hall Law School, York University

In this new edition of his Toolbox, Gary Furlong shows us once again the combination of deep thinking and hands-on experience that make him the outstanding practitioner and teacher he is. The book will delight both the master Alternative Dispute Resolution craftsperson, and the beginner mediator or ADR hobbyist alike. But don't just put the Toolbox on a shelf; carry it with you, and you'll find yourself using its models and techniques in everything you do.

Peter Bruer, Manager
Conflict Resolution & Training The Neighbourhood Group |
St.Stephen's Community House Toronto, Canada

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This book is dedicated to everyone who is tenacious enough (and foolish enough) to believe they can resolve just about any conflict they encounter. These tools and models are for us.

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FOREWORD

Several years ago, my life-partner, Susan, and I decided to take a hiking vacation in France. We planned to walk a portion of the *Sentier de Grande Randonnée* (GR), a network of paths that served during the Middle Ages as pilgrimage routes between towns and cities in northern Europe and famous religious shrines in southern France and Spain. Although we were not going on a religious pilgrimage per se, we did want to spend some good time together, enjoy the charming French countryside, be in touch with nature, and savor a bit of tranquility (which we do not always find in our work as mediators). We also wanted to experience village hospitality, good French meals, *and* avoid problems and sore feet resulting from potential backtracking due to losing our way. We knew from past hikes on the GRs in unknown territory that this was all too easy to do. So, in preparation for our vacation, we acquired a number of maps—road and trail maps, topographical maps, maps of towns and villages, and those that showed especially noteworthy scenery or places to stay. Although it sounds like we are map fanatics, this is really not the case. We merely wanted to use them as tools to gain a good general understanding of the lay of the land, and then plan an exciting route along often poorly marked footpaths and across fields and streams to quaint villages with

good restaurants and open inns (the latter of which we discovered were sometimes few and far between). Once we had planned our general route and could use the maps to pick out landmarks to orient ourselves as we proceeded, we were able to innovate, take side trips, stop at interesting spots, and find alternative routes around any unexpected barriers we encountered.

Although two people traversing an unknown rural landscape is not the same as navigating one's way through a conflict, it is remarkable how similar the two tasks are. In both situations, the people involved have to locate themselves at any given point in time (geographically or relationally); identify significant "signposts" that indicate direction (progress, wrong turns, detours, or backtracking); develop successful strategies to handle a wide variety of unforeseen circumstances (the washed out physical—or emotional—"bridge" needed to cross a barrier, a vicious dog on the trail or the human equivalent—the eruption of strong feelings); and discover and reach mutually desired destinations, resting places, and ways to settle differences.

Successful navigation, whether hiking or resolving conflict, is greatly facilitated by having a good map. Yet, good maps that help people navigate difficulties in relationships and conflicts are often scarce and hard to find. Gary Furlong's groundbreaking book, *The Conflict Resolution Toolbox*, meets this need.

The second, updated edition, like the first, offers one of the most valuable sets of "maps" available to conflict management practitioners and others involved in resolving disputes. Noteworthy updates include two new chapters that respectively explore the encouragement of reciprocity and use of loss aversion to foster greater understanding and agreement making. Continuing to draw on the work of a number of conflict theorists, psychologists, sociologists, and conflict management practitioners, Gary presents a range of maps and models that anyone involved in conflict will find useful for understanding conflicts and developing a range of productive approaches and strategies to regulate their destructiveness, resolve differences and positively transform conflicted relationships. Gary is careful to note that no one map can provide a sure and successful route through every conflict, but his

collection of maps and models provides multiple sources of insight and guidance in the development of a number of plausible "paths" to resolution.

This second edition of the *Conflict Resolution Toolbox* should be one of the essential reference works on the bookshelf of any conflict resolution practitioner or, for that matter, in the backpack or briefcase of anyone seeking a greater understanding of the causes, dynamics, and development of conflicts, and in search of more effective strategies to address, resolve, and transform them for the better.

Christopher Moore
Partner, CDR Associates and author of
The Mediation Process: Practical Strategies for Resolving Conflict
April 6, 2020

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This second edition is a result of many readers finding value in the models in this book, and more importantly, having taken the time to communicate what they found practical and useful and what they did not. I want to thank all of the readers and users of these tools who gave me feedback—the changes and additions in this edition are based on much of that information.

I especially want to thank Paul Emond, Julie Macfarlane, and Leslie Macleod, the past directors of the Osgoode Hall Law School Master of Laws program in alternate dispute resolution, who inspired and supported the work on which this book was based. I also want to thank the current director of this program, Martha Simmons, for continuing to support the teaching and learning of these tools.

I have also been lucky to have my son, Cal Furlong, as an invaluable resource, contributor, and coauthor on the two new models in this edition. He is a fine writer and editor with a critical eye that improved every aspect of this work.

The help and support of a network of brilliant people must also be acknowledged: Rick Russell, Heather Swartz, Rick Weiler, Jim Harrison, and all the people whose work I have built on to construct and refine

the models in this book. The generosity, openness, and support of all of you allowed this work to exist and thrive. This is a true testament to the core values and principles we all hold dear in the conflict resolution and human relationship fields.

And lastly, I want to thank my true partner in all of this, Ronalda Jones.

— CHAPTER ONE —

INTRODUCTION TO THE SECOND EDITION

Since the first edition of this book was published in 2005, research and scholarly advances have made significant contributions to our understanding of how people communicate and engage with each other.

This second edition recognizes the important research done over the last 15 years in the fields of neuroscience, neuropsychology, and behavioral economics with two new models that look at the deeper patterns and biases our million-year-old brains use to connect and make decisions. It also recognizes the value that the tools in the first edition brought to practitioners everywhere, retaining and refining the models that have been recognized as powerful and useful approaches in resolving conflict between people. The new technologies we all use to communicate are very different than they were 15 years ago, but human nature and the experience of conflict are still very much with us.

Imagine for a moment that you are faced with a conflict. Imagine, for example, that your new neighbor is in the habit of having guests over many nights of the week until the early hours of the morning, keeping you up with the noise. When you talk to your neighbor about the issue, he laughs and tells you, "Loosen up, have some fun. Come and join us if you want! You need to enjoy life more!" You go home after the conversation and get increasingly angry. You think about how insensitive he is, how little he cares for other people. You begin to think that he may actually be retaliating for the fact that your dog

barks every now and then, which he complained about once. Given how you see the problem, you vow to call the police the next time he has a party during the week. This conflict is headed for a significant escalation.

We are all faced with conflict situations in many aspects of our lives, whether in the workplace, in our personal life, or with just about anyone we meet. Given how common conflict situations are and how frequently we deal with conflict, you might think that we'd all be pretty good at handling it and building, or rebuilding, relationships.

The reality is a bit different, in that most people report little confidence in addressing or handling conflict. Why?

Managing conflict effectively is a simple two-step process that starts with how we assess the conflict we're facing, followed by what action (or inaction) we decide to take to address it.

Whenever we are faced with a dispute, the first thing we do is try to make sense of it—try to determine what the conflict is about. In other words, the first step we take is to understand the problem. Once we've decided on (or guessed at) the cause, the second step is to take some type of action based directly on what we think that cause is.

In the previous example, the homeowner has assessed the cause of the conflict as the neighbor being insensitive, uncaring, maybe even vengeful. Based on this diagnosis, the homeowner decided the reasonable and appropriate way to address this conflict was to call the police to curtail the neighbor's uncaring, insensitive, and possibly vengeful behavior. The conflict was assessed, and an action that seemed to make sense was taken based on that assessment. But how accurate was this assessment?

In every conflict, we employ these two steps, either consciously or unconsciously. In fact, how good we are at managing conflict will be based, fundamentally, on how skilled we are at diagnosing what is causing a conflict and how effective we are at taking action based on that diagnosis to resolve the conflict.

In many cases, the barrier to effectively managing a conflict is that we diagnose the conflict unconsciously, react emotionally, make choices and apply tools based on a poor diagnosis, and end up escalating the situation.

WE ALL PRACTICE CONFLICT RESOLUTION DAILY

This is a handbook for conflict resolution practitioners aimed at helping them understand and analyze conflict more effectively in their work. Practitioners, typically, are people who regularly manage conflict as part of their work. The list of practitioners, therefore, is long and includes people who work as mediators, negotiators, managers and supervisors, lawyers, union representatives, social workers, human resource and labor relations specialists, insurance adjusters, and many more. For these people, this handbook introduces a number of conflict analysis models that are useful and applicable to the two steps discussed: diagnosing conflict and offering direction and ideas on resolving that specific conflict.

If this book is useful to conflict resolution practitioners for the simple reason that they regularly manage conflict, what about the rest of us? In other words, who else manages conflict regularly and might benefit from using and applying some of these models? Because relationships are a universal human experience, conflict is something that every single one of us works with and addresses in our lives far beyond the workplace. In that sense, we are all "practitioners" when it comes to working with conflict effectively, and the tools and models in this book will be useful to everyone who wishes to improve his or her ability to manage conflict, solve problems, or simply to build strong relationships. For the sake of simplicity, then, this handbook will use "mediators" and "practitioners" interchangeably to mean "people who deal with and manage conflict."

This book is focused on models and tools that help with the two key steps in managing and responding to conflict:

Step One: Effectively diagnosing a conflict
Step Two: Taking action to manage the conflict based on the diagnosis

The term "models" is used frequently. This is not a call to introduce more theory or more academic understanding into the conflict resolution process. Although theory and academic knowledge are vital, they are often of little help when faced with a specific situation. If theoretical knowledge serves as the general foundation for the field, then

models are the specific tools or heuristics that guide the application of that theoretical knowledge in practice. This handbook is not focused on theory, but rather on tools that can be applied directly to the practice of managing each and every conflict.

To understand this relationship between theory and practice, it is helpful to understand the nature and characteristics of what can be called "practice professions."

DIAGNOSIS: FINDING THE ROOT CAUSES OF CONFLICT

A practice profession, quite simply, is a profession aimed at helping individual people solve specific functional problems. It is distinguished here from professions that focus more generally on research and the discovery of theoretical knowledge. There are numerous professions that have a significant practice component to them, professions as diverse as medicine and law, as well as technical professions such as civil engineering and auto repair. The nature of every practice profession is that the first critical skill the practice professional must have is the ability to diagnose, to determine the root cause of a specific problem.

For example, when a patient sees a doctor, the first thing that the doctor must arrive at is a diagnosis of the problem; indeed, everything flows from the diagnosis, and little is done until a diagnosis is reached. During the diagnostic process, if there is any doubt about either the diagnosis or the recommended course of action (i.e. treatment) that flows from the diagnosis, a second opinion is often sought before any treatment is considered. Similarly, in law, engineering, or even car repair, little action can be taken until the professional understands (or believes she understands) what the problem is and, based on that understanding, recommends or conducts an intervention. Few of us would accept a dentist saying, "Well, I'm not sure which tooth is causing your pain, so I'm going to try pulling a few of them out to see if that helps." Few of us would return to an auto repair shop that randomly replaced part after part, hoping that this would eventually solve the problem.

If diagnosis is the first key ability for a practice professional, it's important to understand how the diagnostic process works and where

it fits for the practitioner. In general, most diagnosis has its roots in the theoretical background knowledge of the field. For example, once a mechanic understands from automotive theory that the transmission of a car is responsible for sending power to the wheels, if a car won't move while the engine is running the mechanic begins by looking at the transmission as the source of the problem. Once a doctor understands the digestive tract and what functions it performs, when a patient presents with abdominal pain immediately after eating the doctor will start investigating the digestive system first. Some theoretical knowledge is therefore necessary for good diagnostic skills.

In complex fields, however, theory alone is inadequate for good diagnosis. In addition to a grounding in general theory, practitioners need effective models and tools to achieve an accurate and useful diagnosis. For example, heart disease is one of the most common diseases in the world. There is extensive theory and knowledge about how high levels of certain kinds of cholesterol contribute to heart disease, including complex mechanisms by which cholesterol in the blood contributes to fat slowly building up on the arterial walls, narrowing them and making the heart work too hard, eventually leading to a heart attack. The theories about these mechanisms, however, are not overly helpful in diagnosing any given individual patient. To diagnose effectively, doctors have devised tests that measure cholesterol levels in the patient along with a simple model that states if cholesterol is over a certain limit, specific actions and steps should be put in place to help correct the problem. The doctor, using a simple tool (a blood test) follows a specific model for diagnosing and intervening (if the cholesterol level is above a certain limit, diet changes and cholesterol medicines are prescribed) that requires very little of the deep theory behind the model for the practitioner to be effective in helping the patient.[1]

In general, then, theoretical knowledge is required as a foundation, but in order to apply that knowledge effectively for each individual client or situation, specific practice models and tools are

1. Indeed, in many professions such as medicine and law, simpler problems that can be diagnosed and treated with effective models are being devolved to professionals with far less theoretical knowledge, such as nurse practitioners and paralegals.

required to assist the professional. These models help the practitioner apply the two key steps mentioned before:

Step One: Effectively diagnosing a conflict
Step Two: Taking action to manage the conflict based on the diagnosis

Without the ability to apply appropriate models and tools effectively, there is little chance the practitioner will help the client.

THEORIES VS. MODELS IN A PRACTICE PROFESSION

We have been using the terms "theory" and "model" in specific and different ways so far, and this leads us to a key question: What is the difference between a theory and a model?

Typically, the terms "theory" and "model" are used almost interchangeably, and indeed there is overlap in their meaning.

There are also some key differences, especially in the context of a practice profession.

A common dictionary definition of "theory" includes:

- "abstract thought"
- "a general principle or body of principles offered to explain a phenomenon"
- "an unproved assumption"

These definitions indicate that theories are broad principles that are often related to abstract thought of a high order. Theories are strongly related to research, to the testing of hypotheses to see if they are true. In the scientific method, if a theory or hypothesis is not supported by hard evidence or cannot be proven true, it is discarded as false or unusable.

This scientific approach is found in many professions (including the social sciences and conflict resolution) and is typically labeled the "research" side of the field. In the sciences, "pure," or "theoretical," or "deep" are terms used for research that initially gives little or no thought to practical uses or applications, focusing instead on uncovering foundational ideas. Great sums of money are spent and many