Handbook of Conflict Management

edited by
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To my mother, Pearl Mack,
for her unwavering commitment to keeping the peace.

PREFACE

This book is written for those who wish to enhance their understanding of and competencies with constructively managing conflict. Our interest in developing this resource came at the request of government and community practitioners with whom we worked on various projects, ranging from pedagogy in the classroom to strategic planning and consensus-building in the community. This wide range of demand underscores the limited scope of research on effective dispute resolution and the infancy of conflict management as an area of practice. Consequently, the field has lacked a comprehensive text on understanding sources of conflict and developing practices for successfully addressing and managing disputes.

More recently, however, some scholars have begun to fill this void. For example, Deutsch and Coleman (2000), in their edited volume *The Handbook of Conflict Resolution,* offer a collection of works that discuss the theories and practices of conflict resolution from a social psychological perspective, focusing on interpersonal and intergroup settings.

Our volume makes an additional contribution by offering a menu of theoretical frames and a variety of practical strategies to facilitate effective dispute resolution in educational, organizational, policy, and community settings. The objectives of this collection of works are threefold: first, to help practitioners understand how to foster cooperation in diverse organizations and communities; second, to impart essential tools and techniques that may prevent, mitigate, and successfully resolve differences; and finally, to offer direction for additional research by helping to establish a systematic body of knowledge to guide academics and practitioners as we seek to further develop our knowledge of and competency with the complexities of conflict management.

ORGANIZATION OF THE BOOK

The book is organized into three main parts. Part I contains chapters focusing on strategies for educating others about managing conflict and learning from

those who exemplify and facilitate peaceful negotiations. Part II is devoted to examining the ways and means for reducing tensions within organizational and policy-making situations by addressing conflicts stemming from power, gender, culture, and role differences. Part III presents works that explore conflict management among multiple stakeholders within the context of diverse policy-making and community environments. Each part is prefaced with a brief introductory essay that offers an overview of the chapters and the major themes and issues presented, and each concludes with a series of questions for readers to consider and discuss. These questions are intended to provoke reflective thought processes and informed discussion to further enhance knowledge and practice in the field.

USES FOR THE BOOK

The contributors to this handbook comprises an outstanding group of scholars and practitioners, with a wide range of specializations. These fields of expertise include public administration, public policy, environmental science, geography, sociology, political science, occupational health and safety, business administration, and urban and regional planning. As such, we believe it will be useful to a wide array of individuals and groups that have an interest in effective conflict management. The information contained in this volume is applicable to undergraduate and graduate students with interests that include the social sciences, environmental sciences, business administration, health care, and law. This work also presents information for professionals engaged in nonprofit management, personal counseling, school district governance, municipal governance, and community and economic development, and for consultants in a wide range of professional endeavors.

The dynamic field of conflict management offers many challenges and opportunities. We wish to collectively thank the contributors for the valuable ideas presented in this volume, and express gratitude to our colleagues and students at Wright State University for their encouragement and support.

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PART I   Preparing for Success: Opportunities Through Education

INTRODUCTION

Part I of this book highlights the ways in which individual values, experiences, and perspectives significantly affect one's approach to dealing with, and educating others, about conflict management. The first four chapters articulate specific considerations for the potential limitations of, difficulties encountered with, and benefits resulting from various approaches to develop required competencies and to promote education on the ways and means for effective dispute prevention, management, and resolution.

Chapter 1 addresses two approaches used in conflict management education: peacekeeping, and peacebuilding. *Peacekeeping* emphasizes intervention by providing safe spaces, minimizing conflicts, and accelerating the settlement of disputes through control mechanisms. In contrast, *peacebuilding* emphasizes conflict prevention through mitigation of social inequity and tension. The former approach is viewed as a shorter-term, punitive strategy, whereas the latter is considered to be a longer-term approach and is employed to develop the capacity required for ongoing peace.

Common characteristics possessed by eight Nobel Peace Prize recipients are identified in Chapter 2. The authors argue that the altruistic qualities exemplified by these famous peacemakers are relevant to successfully managing conflicts in society and in the workplace. Relying on Riegel's (1979) dialectic theory of development to frame this analysis, eight key characteristics are identified and discussed within the context of providing leadership and facilitating peaceful negotiations.

Mediation as a means to facilitate dispute resolution is addressed within the context of domestic violence in Chapter 3. The author avers that mediators dealing with cases of domestic abuse against women must have specialized knowledge concerning the issues of power, gender, and cultural differences to best understand the needs and behaviors of those they seek to assist. Conclusions

are drawn from empirical evidence concerning the nature of and circumstances under which effective mediation is best achieved with female survivors of domestic abuse.

Chapter 4 addresses linkages between experiential learning and the potential for minimizing conflict in the workplace. The author asserts that in higher education experiential learning is a highly effective means for promoting exposure to and appreciation of diverse populations. The author concludes that through a variety of experiential educational techniques, students will gain increased cultural awareness and an appreciation for cultural diversity that can aid in transforming higher education and can lead to reduced tensions in the workplace.

1

Conflict Resolution Education

Multiple Options for Contributing to
Just and Democratic Peace

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I. INTRODUCTION

Disagreements, debates, differing perspectives, clashing ideologies, and justice struggles are inevitable in a pluralistic and unequal society. Thus, education about how to understand and handle conflict is an essential ingredient of democracy, as well as essential for safe and healthy personal and community lives. To supplement or challenge what children inevitably learn informally by living in a conflictual world, conflict education increasingly is seen as a responsibility of schools. Policies and programs on interpersonal conflict, violence, harassment, bullying, and human rights have been developing rapidly in recent years, in response to surging public concern in many communities. This chapter first discusses the dimensions of conflict resolution that may be affected by conflict resolution education, and then examines a range of alternative approaches to preparing young people to handle conflict in democratic, inclusive, and nonviolent ways.

The English language is limited in its vocabulary for peace, so the conflict resolution and peace education fields have invented modified terms to better capture the broad spectrum of peace and peacemaking possibilities. Various approaches to conflict resolution and antiviolence work can be arranged on a continuum between shorter-term intervention and security approaches, known as *peacekeeping*, and longer-range prevention and institutional change approaches, known as *peacebuilding* (1,2). *Peacekeeping* attempts to establish safety through

control: surveillance, restriction, guidance, and punishment of violent and confrontational behavior. Although peacekeeping is sometimes associated with the concept of "negative peace," this term does not imply an inferior approach to conflict management. *Negative peace* refers to an emphasis on achieving the "minimum" condition of peace, which is the absence of overt physical violence—a goal that is still both important and unmet in many contexts (3,4). In school systems, this approach is reflected primarily in burgeoning emphasis on mandated "zero tolerance" codes of conduct and "violence prevention" policies. Such efforts generally emphasize settlement or avoidance of disruptive conflict and violence, by limiting or managing student interactions, and punishing or excluding individual students deemed responsible for outbreaks.

The settlement of disputes and establishment of safe spaces is a very worthy goal, but it should not be confused with the broader goal of building sustainable and just (democratic) peace. "If we are honest we must acknowledge the ways in which institutions use [conflict resolution initiatives] to cover up deep-seated structural problems [that] they are not prepared to address, let alone rectify" (5). *Peacebuilding* attempts to alleviate intergroup friction and inequities—structural problems that often underlie violence—through education, problem solving, reorganization of interaction patterns, and other community activities. This approach is reflected in myriad programs for conflict resolution and social skills education (sometimes called "positive peacemaking"), as well as in efforts to foster a culture of just relationships, such as cooperative groupwork training, community service learning, bias awareness, gender equity, antiracism, and other forms of citizenship education. Kivel and Creighton (6, p.27) explain the relation between direct interpersonal violence and the deeper structures of social identity and justice: "violence happens when the social bonds of the community break down and violence between those who know each other is tolerated, expected, condoned, or extolled. [In particular,] young men [are implicitly] systematically trained to use violence to meet their needs." This happens in school, among other places, in the form of social exclusion, bullying, and gendered (including homophobic) violence. Peacebuilding is intended to rebuild such fractured social bonds and to alter people's expectations of themselves and others, away from violence and toward peaceful relations.

The management of conflict has three main dimensions (7) (Fig. 1):

1. The repertoire of formal and informal, autonomous and intervention-based, *procedures* available for confronting and handling the conflict
2. The *understandings and skills* for recognizing and making sense of conflict, for imagining alternatives, and for communicating to pursue resolution,
3. The individual and community *relationships* context within which conflicts may emerge, feel, and be understood as problems by participants, and evolve, escalate, or de-escalate.

No consistent nurturing
of healthy or equitable
RELATIONSHIPS:
Context exacerbates problems

PROCEDURES
for confronting conflict
+ violence unknown
+ infrequently used

Few are proficient in
a small repertoire of
SKILLS + UNDERSTANDINGS
for handling conflict & violence

Many are proficient in
a wide repertoire of
SKILLS + UNDERSTANDINGS
for handling conflict & violence

PROCEDURES
for confronting conflict
+ violence well-known
+ frequently used

Consistent nurturing
of healthy + equitable
RELATIONSHIPS:
Context alleviates problems

PEACEKEEPING
Emphasis on control for
immediate safety and
violence reduction

PEACEBUILDING
Emphasis on capacity
development and
resolution of problems
underlying violence

Figure 1 Dimensions of Managing Conflict and Violence

The *peacekeeping—peacebuilding* continuum describes a range of peace-making intervention goals that unevenly cross-cut the procedures, understandings, and skills, and relationship dimensions. These are by no means mutually exclusive. Many educational initiatives encompass both peacekeeping and peacebuilding goals, to differing degrees. Many *procedures* for handling emphasize short-term control or settlement (peacekeeping), but some procedures emphasize empowerment of diverse individuals to engage in constructive conflict management (peacebuilding). Similarly, teaching *understandings and skills* can emphasize minimizing disruption (peacekeeping) or critical inclusivity (peacebuilding). Some *relationship*-building efforts emphasize smoothing things over (peacekeeping), whereas others emphasize on-going efforts to redress the injustices and misunderstandings that underlie so much violence (peacebuilding). Conflict resolution education is commonly legitimized and evaluated in schools through its contribution to peacekeeping (i.e., to achieving a basic threshold of safety). Yet at the same time, conflict resolution education can and should also go beyond the peacekeeping minimum, to affirm and enhance its contribution to just and democratic, therefore sustainable, peace (8,9). This chapter describes some conflict resolution education initiatives that, to varying degrees, emphasize confronting social conflict to build equitable nonviolent relations (peacebuilding), or to emphasize accelerated settlement of individual conflicts or avoidance of confrontation (peacekeeping).

Although education focuses primarily on the development of understandings and skills, both conflict resolution procedures and relation rebuilding efforts are also "educational," especially when they take place in schools. Virtually all conflict resolution education initiatives include *multiple dimensions: procedures* and diverse participant roles for handling conflict, implicit as well as explicit teaching of *understandings and skills*, and patterns of interpersonal and community *relations* that are enacted or challenged to change. Procedures, such as codes of conduct, peer mediation, restorative justice group conferencing, or bullying or harassment policies, inevitably model and practice particular approaches to conflict. This is powerful implicit education. Relationship-building initiatives, such as democratic education, antiracism, antihomophobia, and gender equity efforts, provide implicit or explicit education about social conflict, multiple perspectives, and pluralism. By virtue of being assumed and, therefore, often uncriticized, *implicit* conflict education can be a very powerful source of students' knowledge, attitudes, skills, and social role expectations. The background of implicit messages in any given context will facilitate or impede any *explicit* initiative in conflict resolution education.

What are the options for *combining* the multiple dimensions of conflict management procedures, relationship-building efforts, and understanding and skill development opportunities in conflict resolution education? The remainder

of this chapter describes three categories of conflict and conflict resolution education:

1. Implicit conflict education (modeling and practice), encompassing both peacekeeping and peacebuilding possibilities
2. Explicit conflict education, including extracurricular and self-contained curricular approaches
3. Infusion of conflict as a learning opportunity in academic subject matter

Each of these categories is illustrated by a pair of contrasting examples of actual educational initiatives drawn from my research. Four of these examples emerged from a recent pilot research project that involved participant observations, interviews, and document analysis. The other two are drawn from earlier recent research projects, for which further published information is cited. Organizations' names are used only where their leaders so chose and gave written permission to be identified, or are named in cited publicly available materials. Other projects are unnamed or given pseudonyms to protect confidentiality.

The vignettes are not typical of predominant practices in any particular category. Instead, they are intended to exemplify successful initiatives that illustrate particular questions or dilemmas in conflict resolution education. The first two cases—an elementary school peer conflict mediation program and a teenagers' antiviolence photojournalism program—are extracurricular initiatives that emphasize peacekeeping and youth empowerment. The next two cases—a set of sexual harassment programs, used in middle and high schools, and a broad prejudice reduction program, used in elementary schools—are extracurricular initiatives that emphasize peacebuilding. The last two cases: an elementary school thematic unit on conflict and a middle school English–social studies course on intolerance and the Holocaust, are classroom-based initiatives that integrate conflict education (peacebuilding) into academic curriculum. The final section compares the various approaches and discusses some of the major questions in conflict resolution education that they illustrate.

II. IMPLICIT CONFLICT (RESOLUTION) EDUCATION

Deeds speak more loudly than words: Young people learn about conflict by observing how and by whom conflictual or violent incidents are handled, and by practicing particular roles in relation to conflict management. Sometimes teachers wield authority in ways that facilitate students' development of autonomous strategies for handling conflict and preventing violence; sometimes, unfortunately, they reward dumb obedience. Thus students learn implicit lessons that marginalize (or accept) conflict, that blame (or respect) individuals for confronting problems, and that assume conflict must be managed by powerful authorities

(or by ordinary citizens). Real-life messages are often mixed, including both top-down peacekeeping and democratic peacebuilding elements.

School discipline, which teaches by example, inevitably shapes and is shaped by cultural, social class, gender, and racial inequities (10,11). Where certain students' liberty to participate in positive ways is curtailed by an overemphasis on top-down *peacekeeping*, their opportunities to learn conflict resolution are thereby limited. The prevalence of restrictive and punitive approaches to discipline is increasing, even though youth violence rates are actually decreasing, in North America (12,13). Police are increasingly active in schools; Canada and the United States imprison more youth per capita than other Western countries; suspensions and expulsions from school are skyrocketing (14–16). In practice, such punishments are not administered equally to all offending students. Zero-tolerance peacekeeping efforts can harm civil liberties and fracture relationships, because they rely on punitive exclusion that is too often disproportionately imposed on nonwhite and less-affluent populations of students (17–19). Thus, these initiatives can create a backlash that actually increases violence (20,21). Conflicts that lead to less directly disruptive problems, such as absence or nonparticipation in classroom activities owing to covert sexual harassment or bullying, involve a wider range of students, but are often ignored (22,23). Thus, diverse students may learn different roles and skills for handling conflict, in relation to the ways they are disciplined and allowed to participate. Some conflict management initiatives expand diverse students' capacities to handle conflict respectfully and on their own behalf (peacebuilding), whereas other conflict management initiatives impose "correct" ways of doing things (peacekeeping) that may exacerbate hierarchies of exclusion.

Implicit conflict education can also emphasize peacebuilding. For example, student governance and community service, when supported by skilled adult advocates, may help diverse students see themselves as potential actors, not pawns, in handling school community problems (24,25). These activities encourage participating students to practice effective group communication, recognition of differing viewpoints, persuasion, identification of shared interests, and invention of problem-solving procedures (26). Lower-status students, including girls and students with lower than average academic grades, in some contexts, may have little real representation in student governance, if they have had limited opportunities to develop skills and self-confidence. However, explicit inclusive policies and leadership training can reduce such implicit barriers (27). Bringing student leadership activities into the mainstream of school life, by making them part of classroom activity or by scheduling meetings into regular school days, gives more students the opportunity to participate in democratic decision-making, and thus develop understandings of conflict and its resolution. In student governance meetings, young people apply their concepts of justice to conflicts among their peers: "they practice creating the rules by which they want to live" (27a,

p.24). The implicit conflict education of school rules and student roles may be difficult to pin down and evaluate directly, but it forms the context—and too often the counterweight—for all other conflict resolution education efforts (28).

Some intentional, self-contained conflict resolution and antiviolence education initiatives may also be seen as primarily implicit forms of conflict resolution education, because only a few students receive explicit training. Most students encounter these programs indirectly, through peers. The "cadre" peer mediation program is the most well-known and well-studied of such conflict resolution education initiatives. Here, a small number of students receive specialized training and then serve as mediators, assisting other students to resolve interpersonal conflicts (29,30). This designated team of students encourages and guides their peers' practice of skills and understandings by mediating (i.e., facilitating their negotiation of solutions to interpersonal conflicts). Well-implemented peer mediation programs reduce the incidence of student aggression and increase prosocial inclinations or behavior in elementary, middle, and secondary school settings (31–33). Implementing conflict resolution programs requires an investment of teacher and administrator time, but soon minimizes the amount of time these adults spend handling student disputes (34).

School-based conflict-resolution initiatives are sometimes conflict avoidant (and thus are noncritical of social difference issues and existing power structures), even more so than those designed for adults. A major incentive for school administrations to implement conflict resolution programs is to avoid disruption and maintain control, not necessarily to empower diverse students with powerful democratic life skills. Thus, conflict resolution programs may maintain or challenge predominant social hierarchies among students: social differences mapped onto adults' notions of "good" and "bad" students. Especially in schools where conflict resolution material is short and simplified for schoolchildren, matters of social diversity and power difference are typically treated as additional topics, if they are addressed at all, rather than being infused to broaden or transform learners' understandings of conflict and conflict resolution itself (35). Even gender, a central element of the social pressures around conflict behavior, has been almost entirely ignored in many conflict resolution materials designed for youth. Thus, some important aspects of conflict resolution education are often implicit (modeled and practiced), rather than discussed, even in explicit programs.

A. Center for Conflict Resolution: Implementing Peer Mediation

Peer mediation initiatives involve explicit extracurricular conflict resolution training for the student mediators. At the same time, the actual implementation of a mediation service in school educates mostly implicitly, that is, participants model and practice particular responses to conflict and particular social roles and rela-

tions in its management. A recent study examined a peer mediation program led by the Center for Conflict Resolution (CCR), part of the Cleveland Public School district in Ohio, (36,37). In this program, a team of 20–35 students and one or two adult advisors from each elementary school received CCR's intensive 3-day peer mediation training. Trainers were diverse urban youth who had recently graduated from high school in Cleveland. Elementary student mediators, according to program guidelines, were to be those children, whose leadership potential had been exhibited in negative as well as positive ways, who were representative of the school's racial, cultural, and gender balance. These peer mediators, grades 3–5, developed conflict resolution and mediation skills and shared responsibility in developing conflict resolution programs in their own schools. Although CCR provided some follow-up support to each, schools were largely on their own in program development, and various schools interpreted and implemented the program in different ways. For example, schools 13 and 17 maintained remarkably diverse teams of student mediators and empowered them to share tangible responsibility for autonomously assisting peer conflict resolution. In contrast and contrary to CCR guidelines, schools 10 and 12 empowered the more academically skilled and compliant students, giving them privileged roles as monitors who helped control other students' behavior.

In schools 10 and 12 the peer mediators—those generally considered by their teachers to be "good" students—were pulled out of classes to meet, once or twice each month. Although approximately equal numbers of girls and boys from various racial groups were trained, more girls than boys, and more white and high-status students, were in fact encouraged to remain active as mediators in these particular schools. A few mediators were scheduled each day to be "on duty" in each school lunchroom and on the playground during lunch recess. In the lunchrooms, the mediators assisted the adult lunch supervisors by monitoring student behavior, and also by picking up garbage and wiping tables. At school 12, these mediators were the only students allowed to move around freely during lunch. On the playground, the mediators sometimes helped organize the younger children; for example, directing them to line up for games or for returning inside. As one of school 12's advisors put it, "the children [peer mediators] are really helping to keep the peace here." Other children knew who these mediators were, and the mediators certainly felt important. However, the mediators in schools 10 and 12 had little opportunity to think critically together or to take autonomous initiative, and the "peace" they kept seemed less democratic than it could have been: mediators seemed sometimes to help adult staff to limit the autonomy of their peers.

At schools 13 and 17, student mediators reflected the whole spectrum of compliant, resistant, and conflictual behavior. The most active mediators were boys as well as girls, and they represented the range of populations in their schools. Thus when mediators became involved in helping their friends and class-

mates handle conflicts, they were reaching similarly wide-ranging populations. Peer mediators took tangible responsibility for making decisions and for helping resolve problems in their school communities; they self-initiated conflict mediations or responded to peer requests, rather than directly assisting adults to monitor other students. School 17's principal often reminded the mediators of the important role they played in improving the school's attendance record, by helping their peers to solve problems so that nobody would be suspended or afraid to come to school. Besides offering mediation services, these student mediators led conflict education workshop activities with younger children. Teachers described the remarkable changes they had observed in the students who previously had exhibited shyness or so-called negative peer influence, after they became mediators: "You can tell that he feels proud to be a mediator. . . . Over all, he's a lot more mature and responsible." Given responsibility, these students more frequently became engaged in responsible ways.

The peer mediation programs in schools 13 and 17 demonstrate how, given consciousness and commitment from school staff, this type of conflict resolution program can create space for peacebuilding across social difference and empower new participants in the school community. At the same time, schools 10 and 12 show the danger of leaving this to chance, by avoiding explicit attention to equity and power-sharing matters in programs' subject-matter and structure. Peer mediation programs can contribute to peacebuilding, by developing diverse students' skills, confidence, and concrete options for problem solving, as well as for peacekeeping. However, even mediation programs that are active and somewhat effective in short-term peacekeeping may not necessarily be effective in building a broad democratic foundation for lasting peace.

B. Leave Out Violence: Supporting Youth to Speak Out Against Violence

An explicit focus on the problem of violence does not necessarily imply an explicit focus on conflict resolution or conflict resolution education. One of several initiatives examined in a 2000–2001 pilot research study is the Toronto project of Leave Out Violence (LOVE). LOVE is designed to support and empower young people who have lived with various kinds of serious overt violence, including domestic, suicide, street/gang, and bullying, as victims, or perpetrators, or witnesses. Leave Out Violence's goal is to build awareness of interpersonal, domestic, and community "violence." LOVE aims to empower diverse young people who have experienced violence to testify to the personal and social harm done by such violence, to model nonviolent personal and family relations, and to speak out for nonpunitive political and community action to combat violence. Youth are referred to the program by social service personnel, group homes, school guidance personnel, and sometimes peers: they are diverse and generally nonprivi-

leged people from all over the metropolitan area. Through workshops and photo-journalism exhibits, LOVE raises the problems of violence and its causes: it confronts (rather than resolves) a diffuse range of social conflicts that cause violence.

In the view of LOVE's Toronto leaders, violence may be caused by a range of personal and social factors, including mismanaged interpersonal disputes, but also including poverty, psychological damage from the cycle of domestic violence, and so forth: thus this initiative includes a little (explicit) conflict resolution education, but its focus is on violence itself as a personal and social problem, not on conflict management strategies. The Toronto initiative uses semistructured group meetings (workshops) in public and school contexts, intensive training in photojournalism, and leadership opportunities to help the youth participants to heal, to understand the challenges in their lives, to develop skills and confidence, to improve their environments and their own long-term prospects, and thereby to influence their peers and communities. The focus of the LOVE initiative is increasing awareness of personal and community violence, to reduce or prevent future violence.

By avoiding attention to the social–structural causes of violence in publicity materials, and instead focusing on individual healing, the program avoids controversy and is able to raise funds to amply support the youth that participate. Bus tickets, food at meetings, program fees, facilities such as internet-linked computers, tuition for job- and school-relevant training, and other costs are covered 100% for all participants accepted into the program. The youth's commitment to the LOVE program is considerable: they attend classes or meetings two or three times each week after school for a full school year, plus a 5-day summer leadership training camp. Later in the program, they do public speaking and school presentations with the organization, for which they are paid. The generous sharing of resources with the youth encourages and sustains diversity among program participants.

In the relative privacy of project group leadership-training meetings, matters of social conflict are indeed sometimes addressed. For example, one of the weekly workshop meetings discussed stereotyping and bias against youth and people of color in news coverage. Another critically discussed the roles that can be played by social workers, preparing the youth to question the adult panelists at an upcoming violence prevention conference. A third introduced the broadcast journalism program in which they would participate—itself not controversial, but designed to give the young participants tools to speak their minds and be heard on any number of social concerns and roots of violence. Discussions in those meetings are sometimes heated: nonviolent conflict is encouraged, as a way of developing participants' critical thinking and social skills.

The one- or two-session presentations and workshops that the LOVE staff coleads with youth participants typically focus mostly on awareness and skill-

building. These workshops include testimony by a young coleader about violence, its negative consequences, and the ways they had become able to avoid violence in their own lives. They also present the youths' photos and poetry on the ravages of violence, and lead an interactive workshop on actions young people can take to resist violence. A typical workshop taught, role-played, and discussed the differences among aggressive, passive, and constructively assertive responses to conflict or attack. This simple conceptual framework leaves room for diversity: in one observed workshop, participants proposed many different ways to be assertive in response to given scenarios. The concept of assertiveness and the role play demonstration provide some guidance for their invention of options. These public presentations do not entirely avoid controversy: one Toronto leader explained, "we teach the kids to use the pictures [their photojournalism work] to raise issues . . . . Journalism is an ideal way to raise conflict and controversial issues." Another noted the way the youth leaders often notice and respond to bias that may surface in workshop discussions: "They're not afraid to challenge the preconceived ideas they hear."

LOVE provides diverse participants with some powerful tools for expressing their viewpoints and handling their problems without prescribing recipe procedures. Thus a program that appears to emphasize peacekeeping may actually open up considerable space for conflict management by youth formerly left off the "success" track (peacebuilding). At the same time, as with peer mediation, because their education about power and social conflict is mainly implicit and because controversy is often avoided by programs that must rely on fund-raising, it is clear that another leader or context could shape such a program in more trivial directions.

III. EXPLICIT AND SELF-CONTAINED CONFLICT (RESOLUTION) EDUCATION

Over the last 20 years, schools have increasingly begun to supplement their implicit conflict education with explicit, planned conflict resolution education initiatives, intended to alleviate problems of aggression and violence among youth. At first most of these initiatives, such as peer mediation, took place in the extracurricular arena, because extracurricular add-ons generally require less institutional change and less funding to implement than do deep-structure reforms of curriculum, discipline, or other activity patterns. Recently, there has been a trend toward moving conflict resolution education in from the extracurricular margins. There are many social skills, conflict resolution, and violence prevention curriculum materials designed to be used by teachers in regular classrooms (e.g., 38–43). These programs often offer conflict resolution education to more people in each school (compared with extracurricular and cadre programs), over a sustained

time frame. In exchange, however, these self-contained classroom programs often provide neither alternative dispute resolution processes for the school, nor mechanisms for youth leadership outside of the standard student role. Classroom-based initiatives that rely on regular staffing and can show clear links to academic curriculum and testing outcomes are, on average, better protected from budget cuts than extracurricular programs. These programs develop many students' knowledge, inclinations, and skills in the basics of interpersonal communication and conflict resolution, whether or not any students' roles are expanded to include mediating peer conflicts. The major strength of most self-contained conflict resolution education resources is their attention to the individual students' skill development.

Conflict resolution education interventions, both curricular and extracurricular, have been most successful in handling disputes between children of similar social status, by facilitating the development of communication or mediation skills and, sometimes, alternative dispute management procedures (44–49). Unfortunately, many conflict resolution resources overemphasize dominant culture manners and control, and are weakened by their scant attention to challenges of communication and conflict resolution across cultural, language, gender, or power differences (50,51). Reducing conflict management to simple step-by-step procedures makes it more easily learnable in limited time, thereby facilitating the potential empowerment of young people. However, such simple prescriptions may inadvertently impose middle-class Anglo approaches to politeness and de-escalation. For example, nearly all school-based conflict resolution education programs include a technique called "I statements." Rather than focusing on multiple approaches to the underlying goal of mutually respectful no-blame problem-solving, these programs often teach students a narrow cultural formula with which to address conflicts: "When you . . . [insert a designated action], I feel . . . [insert speaker's emotional response], and I want you to . . . [insert a designated action]." Such a simplified core of conflict resolution techniques may implicitly devalue and clash with the broad diversity of informal conflict knowledges that are embedded in every culture's management of life's conflicts (52). Furthermore, such formulas are not likely to work well in situations of power imbalance, such as bullying or harassment.

Teasing, harassment, bullying are the major mechanisms through which students construct and maintain power hierarchies among their peers on a daily basis. Bullying is prevalent as an underground phenomenon that can be difficult for school leaders to pinpoint, admit, or prevent (53–56). Because of the power imbalance and often embedded social biases that define this kind of conflict and violence, neither peacekeeping alone, nor the relatively simple skill-based approaches in prevailing conflict resolution materials, are sufficient to alleviate harassment and bullying (57–58). Antibias and democratic education can be forms of peacebuilding, dedicated to helping students develop understanding and

tolerance of unfamiliar, unpopular, or subordinate social groups (59,60). *Hate crime*, by definition, is criminal intolerance to be handled by law enforcement (peacekeeping). However, bias awareness education and community-building work (61) and longer-range efforts such as Holocaust education (62) and constructive contact among "enemy" groups (63) can help prevent some problems from festering and escalating. In situations involving intolerance and harassment, how might programs balance peacebuilding (in which institutional structures can support the young people themselves to play an important role) with peacekeeping (in which designated authorities carry the primary responsibility to protect weaker members of the community)? The following two initiatives focus on education about recognizing and confronting power-imbalanced social injustice conflicts.

A. Community Builders: Confronting Prejudice in Interpersonal Relations

Helping young people resist bullying, "harmless" teasing, and episodes of intolerance can help change the social environment and, thereby, facilitate peacebuilding. At the same time, how much responsibility should be delegated to individual students to confront such social injustices? Some conflict resolution education initiatives retain an individual conflict resolution intervention format, but apply these skills and strategies to complex situations of confronting social injustice (especially in the form of personal bias). The following initiative, examined in the 2000–2001 pilot study, emphasizes both awareness of oppression and individual responsibility to intervene as allies in harassment or exclusion situations. Their workshops include both testimony to raise awareness of bias, and training in an intervention process.

Community Builders (CB) is a Toronto-area nonprofit educational organization dedicated to helping young people develop skills and motivation to resist prejudice and unjust treatment as well as to resolve conflict nonviolently. Community Builders leads basic workshops and intensive 4-day leadership institute workshops on interpersonal conflict and prejudice for upper-elementary and intermediate students, outside of regular classes. Their learning activities encourage inclusivity, for example, by using sharing circles, personal affirmations, and singing together. The workshops focus on awareness of in-groups and out-groups, that is social differences in which one group (e.g., males or white people or adults) is socially valued more than other groups (e.g., females, or people of color, or children). For example, they do an exercise called "ups and downs." The leader calls out social identities one at a time, beginning with relatively neutral differences and progressing to identity groups that are often devalued or oppressed (e.g., the only child in a family, middle child, boy, girl, born in Canada, not born in Canada, various ethnic heritage and religious groups). Children are

asked to stand up every time a group is mentioned with which they identify themselves, and the whole group is asked to applaud those who are standing.

Through songs, testimonies, stories, case studies on film, drama tableaux, and skits presented by the leaders and sometimes imitated or practiced by the children, Community Builders teaches about the hurt caused by oppression, and leads participants to identify and practice "ally" roles for interrupting expressions of bias, stereotyping, and other injustices among peers. Community Builders spends a considerable portion of their time on what they call "internalized oppression," which they describe as a poison that people swallow—self-hatred or a lack of self-efficacy—as a result of being repeatedly mistreated. They spend some time on each of a series of oppressions (e.g., racism, sexism, classism, bullying, or oppression of young people), emphasizing the similarities among these injustices and the way they operate. Primarily the interpersonal manifestations of these social conflicts are discussed in depth: the emphasis is on the ways individuals' actions may support or resist injustice and, in particular, the role of allies in helping to overcome oppression.

Community Builders workshops teach communication skills, the concept of escalation and deescalation, and an intervention process they call "mediation," in which a third-party intervenes in a situation, such as one child excluding or putting down another. What makes the process similar to mediation is the third-party's respectful attention to both parties and their points of view. What makes it different from ordinary mediation is that the third-party child is supposed to be an ally of the "oppressed" party, not a neutral, and takes an active role in suggesting solutions, rather than only facilitating peers' communication. Here is a simplified, resolution-oriented interpersonal dispute settlement process being offered to young children as an approach to social injustice problems. CB combines peacebuilding (in particular, developing understanding of, and willingness to support, people from dominated groups) with peacekeeping (settlement interventions), in a way that places considerable responsibility on young children.

B. Stopping Sexual Harassment: Confronting Social Conflict Without Conflict Resolution

Sexual harassment is a kind of interpersonal violence that is challenging to address because of the power imbalance caused by an underlying social conflict (sexism). The goal of the set of related initiatives, described in the following, is not to instill specific techniques for handling individual incidents or disputes, but instead, to increase awareness of social conflicts—specifically, of inequities in the prevailing roles, rights, and needs of women and girls. To do this, the workshops raise young people's consciousness of the sexist put-downs and stereotypes that may be taken for granted in their daily lives. Traditional conflict resolution procedures are not taught in this program: leaders believe such approaches have generally

failed to stop harassment, because harassment has social–structural as well as individual dimensions. Thus after developing their understanding of the underlying social conflict problem, these programs do not offer an intervention formula, as does Community Builders. They leave it to the youth themselves to envision strategies for redress and prevention of harassment situations.

Several important initiatives for resisting sexual harassment in schools and classrooms are based heavily on the work of June Larkin. Project descriptions, assessments, and resource materials examined for this research include CAHP-ERD, Mlamleli et al., OSSTF, Staton, Larkin, and Stevenson (64–68), as well as classroom workshops (led by an anonymous school board resource person) observed during the 2000–2001 pilot study. Most of these initiatives involve outside facilitators leading occasional workshops and special activity days in schools, but some of them (64,68) provide an on-going developmental workshop series over several weeks and infuse antiharassment approaches in school policies and curricula. Others (64,65) also emphasize training youth leaders to help facilitate change in their school environments. Where schools allocate resources for these more extended and institutionalized antiharassment programs, the ramifications of this approach for developing the healthy relationship dimension of conflict resolution become clear.

Larkin raises a fundamental caution, distinguishing her approach from typical peer conflict resolution policies and procedures (69):

> I'm uneasy about policies that build in "conflict resolution" as an informal strategy for dealing with sexual harassment. This procedure is based on the notion that harassing incidents are the outcome of a dispute between individuals. But this depoliticizes the problem. Sexual harassment is an act of power that is most commonly expressed by males over females. Many forms of violence are not conflict-based. They are inflicted on certain people merely because they are members of a specific group. . . . If the remedies included in policies aren't sensitive to the gender and power-related issues of sexual harassment, then we've missed the central point. . . . [T]he ultimate goal of educators should be to change the attitudes that perpetuate sexually harassing behavior (69, p.134–135).

Larkin objects to the ways some conflict resolution education materials for youth encourage the use of simple dispute settlement processes in relation to harassment episodes, treating power-imbalanced social conflict based on gender group membership as if it were relatively simple and resolvable interpersonal conflict among equals. By not adequately confronting bias and power imbalance, such processes could reify, rather than resist, the social injustice problems that underlie interpersonal harassment behavior.

The educational initiatives described in the literature just cited, and the observed school board workshops, focus on gender role stereotyping and on recognizing sexual harassment as an act of violence based on abuse of power.

For example, in an observed workshop, students were invited to name and critique gender-based put-downs, including some that are further complicated by racial and social class stereotypes, and to decide whether various conflict scenarios constituted examples of harassment. Later in the process, students were given vignette scenarios involving sexual harassment, and asked to interpret participants' goals and to imagine what options the intended victims or witnesses would have for responding to these situations. At this point, students were invited to independently "rewrite" scenarios by inventing positive responses to stop the harassment. These teaching materials offered neither sample resolutions nor direct guidance for which kinds of responses to conflict might work in such situations. Some of the given scenarios were framed as individual interactions, but others encouraged students to consider context factors and build in environmental changes. The observed school board workshops, somewhat more than the published materials, emphasized recourse to authority—by instructing students about how they could make complaints about harassment to school policy leaders.

The apparent goal of these sexual harassment initiatives is to change attitudes and consequent patterns of behavior, but not to assign youth the primary responsibility for management of individual problems. They assume that adults should help redress power imbalances by punishing abusive behavior. Indirectly and informally, these initiatives give students some responsibility, because (similar to CB) they provoke awareness of young people's own participation in reinforcing or resisting stereotyping and harassment—manifestations of the social injustice conflict of sexism. However, the youths seem to be left quite on their own to generate most strategies for redressing themselves in open brainstorming: these antiharassment initiatives apparently do not use conflict or conflict transformation concepts to help guide the young people's understanding or action. Although much of explicit conflict education tends to ignore social injustice conflicts, initiatives such as the foregoing two (that do confront power imbalance and bias challenges) may or may not train young people in specific procedures for confronting the interpersonal manifestations of these problems. Thus these vignettes illustrate some questions at the rough unfinished edge of conflict resolution education.

IV. INTEGRATION OF CONFLICT (RESOLUTION) EDUCATION INTO ACADEMIC SUBJECT MATTER

Infusion of contrasting viewpoints and controversial issues into academic lessons makes conflict explicit, although it may teach conflict analysis more than conflict resolution. The unknown, the controversial, and the problematic are the fuel for good conversation and the sparks that motivate inquiry for learning. Value-laden international and cross-cultural material is particularly well-suited to helping stu-

dents develop their capacity for flexible and independent thought in the face of conflict, because it highlights and demystifies specific, grounded and contrasting perspectives. Open discussion of controversial matters in the classroom can help students develop interest in the social and political world, capacity for reflective analytical and evaluative thinking, and a sense of efficacy as actors in their own lives (70,71). Avoidance of conflict, in contrast, tends to distance school subject matter from real life, rendering it relatively useless. Introduction of conflictual questions can bring previously silenced young people into active classroom citizenship, giving them the opportunity and the motivation to learn (72). For example, a grade 7–8 social studies—English class practiced research methods by conducting an observational study, aimed at seeing whether boys talked or interrupted more than girls in various classrooms in their school. Students found interesting variations among classrooms, but what was tremendous was the effect of having opened this question at all. As the teacher explained, "The effect on the girls of actually conducting this study was immeasurable. They spoke up passionately throughout our discussions—some for the first time" (73, p.147).

Conflict is intrinsically interesting, thus it gives students reasons to talk and read together (in a first or a second language) and thereby develop communication and social analysis skills, for example, in language or social studies classes. The plots of nearly all children's and young people's literature highlight questions of conflict and its consequences, and sometimes yield insight into concepts of unfairness and justice (74–76). Literature that touches on unresolved human conflicts and unpopular viewpoints risks provoking dissension or even calls for censorship. However, when teachers have clear rationales to explain *why* the risks are worthwhile in relation to students' expected learning, and *how* diverse students with minority views will be protected, then such lessons can be defended and strengthened (77).

In social studies, language, and other classes, teachers can present conflicting perspectives without necessarily introducing controversy. For example, primary and secondary historical sources and anthropologists' records of oral histories can present the conflicting views of various actors and witnesses of particular events. In simulation activities, students may play the roles of characters in historical dramas (78), act as members of diverse interest groups involved in environmental management conflicts (79,80), or simulate social processes such as the escalation of extreme nationalism (81). Simulation activities, unlike traditional debates, typically highlight the interdependent relationships among conflicting parties, thus students may practice cooperation and the creation of sustainable solutions, as well as conflict analysis. Practice managing conflict can stimulate language development, perspective awareness, and understanding of social institutions: valuable knowledge for nonviolent conflict resolution.

Oddly enough, one of the more controversial matters to teach is peace, especially where this involves examining the causes and consequences of particu-

lar episodes of political conflict and violence. Thus, peace education is an elusive concept, as it emphasises the need to change particular cultural and political institutions, different in each social context (82,83). Thoughtful study of "human-initiated, catastrophic events whose legacy we still live" can help young people understand the dangers of thoughtlessness and develop understandings that can be applied in preventing future injustices (84 p.19; 85,86). Such lessons may introduce students to the workings of institutions designed to prevent violence and its causes, such as nongovernmental or United Nations organizations (87,88). Peace education involves connecting the interpersonal to the cross-cultural and international, to develop transferable understandings of conflict, peacemaking, and the problems of injustice that often underlie violence (89–91). For example, peace education infused into history lessons can develop students' capacities to make distinctions among historical periods and actors' perspectives, and also help them develop "historical empathy" for those perspectives (92). Peace education generally develops students' awareness of particular instances of conflict, and then helps students learn and create mechanisms for nurturing peaceful social relations.

Conflict and the processes for trying to resolve it can also contribute to mathematical and scientific education. Peer disagreement can help students to articulate their understandings, to clarify underlying concepts, and to reframe ideas to help peers comprehend (93). Furthermore, application of math, science, or technology to real-life problems may help young people take a measure of control over some of the powerful influences in their lives (94,95). Another approach is to engage students in testing alternative theories for explaining physical phenomena: deductively, following real conflicts in the history of science; or inductively, based on concrete experimentation and observation (96). Any human endeavor worth learning about involves some conflict. Resources infusing conflict into academic work have tended to draw on the frameworks and scholarship of citizenship education and critical thinking, and could be further strengthened if they also drew on the conceptual and practical resources of the conflict resolution field.

A. Conflict as a Cross-Curricular Theme in Elementary School

Conflict is a powerful concept that can work as an integrative focus for multidisciplinary academic learning activities. Such a curriculum unit was taught by an (anonymous) experienced teacher to a combined class of 33 diverse fourth and fifth graders, many of them recent immigrants to Canada, in an urban setting (97). The key idea of understanding conflict provided a unifying theme for much of the class's academic work, over a period of 8 months. This was not primarily a conflict *resolution* training program, but an integrated academic unit that pre-

sented various controversial and international material in an accessible way over an extended period. The unit was organized around three basic questions:

1. What is conflict? (problems or disagreements that involve different viewpoints)
2. What causes conflict? (various kinds of competing needs or wants)
3. How can we handle conflict? (people make choices to respond to conflict in violent and nonviolent ways, resulting in win–win, win–lose, or lose–lose consequences)

The goal of the unit was for these elementary students to develop more complex understandings of conflict along these three dimensions, while at the same time meeting a variety of specific learning outcomes articulated in the school board's curriculum guidelines (primarily in language arts, drama, and social studies). The students developed an understanding of conflict in relation to a variety of social and international examples, and later applied this concept to complex interpersonal conflicts, such as bullying in their own schoolyard.

Midway through the unit, a series of lessons guided students to describe a variety of basic human needs, to distinguish needs from wants, and to analyze the ways unmet needs might be sources of conflict. Students developed and acted out skits portraying conflicts over unmet needs. The conflict in Rwanda, which was then ongoing, provided the class with interesting examples of human needs or wants as a source of conflict. For example, one scenario that the students acted out, wrote about, and discussed was drawn from a news story about a Hutu family returning "home" to find a Tutsi family (who had no other place to go) living in "their" house. Students described how they felt, imagining and playing the different roles. The teacher showed that there were many different possible feelings and responses to the same conflict. Another scenario, also explored through drama, illustrated conflict over unmet needs, using a news photo of two hungry children after food relief supplies had run out at a refugee encampment. In this case, the teacher invited students to deduce who were the parties to the conflict who were not shown in the picture, such as the international aid agency and the perpetrators of violence who had caused the children to flee their homes.

An activity tied to language arts curriculum goals was to have students write about conflicts "in role" (i.e., from the point of view of one party to the problem) describing from that perspective how they thought the conflict should be handled and predicting the consequences. Students wrote in the voice of the Hutu or Tutsi person whose part they had acted out in the role play concerning the occupied house. In the discussion that followed, the class described, compared and evaluated the range of potential responses to that conflict. They discussed whether both sides would benefit (win–win), one side would benefit (win–lose), or both sides would be harmed (lose–lose), and whether each solution was fair and sustainable. In their fervent disagreements about some of these scenarios,

students modeled for each other how different parties might respond to various conflicts and how to predict and evaluate the consequences of such actions.

After the class had become more comfortable examining distant conflicts, the teacher addressed the problems of bullying and exclusion that had been occurring on the school playground. She used literature, artwork, and drama to lead students to illustrate and analyze this problem. For example, the children's storybook *Name Calling*, by Itah Sadu, was used to illustrate the way a bullying problem gets worse when other children join in targeting a schoolmate, and to show how the underlying conflict provoking the hurtful behavior may arise from a misunderstanding. Students in the class articulated several complex reasons for bullying behavior: social difference, status, individual desires for security or acceptance, retaliation, and questions of fairness. Referring to the concept of escalation they had learned earlier, the class discussed the ways some children joined or followed along with bullying episodes, because of the way it made them feel or to avoid being targeted themselves.

At the beginning of their study of conflict, the problems the students chose to discuss, illustrate, and dramatize were generally physical needs that are negotiated on a socioeconomic and political level, such as scarcity of clean drinking water, homelessness, poverty, and medical care. These examples involved tangible problems, and thus seemed less complicated than those associated with the students' own interpersonal conflicts. Only after the group had been working together on the conflict theme for a few months did students willingly discuss conflicts over intangible needs and interests such as friendship or respect. By first applying the concept of conflict to matters in the international news, and later making the concept more personal through the study of bullying in their own schoolyard, most of these 9- to 11-year-old students began to see both interpersonal and global conflicts as problems that might sometimes be solved through human agency. Students began to see other choices that were available to them (beyond victim, aggressor, or spectator), to respond to the viewpoints, feelings, and needs that underlie aggressive behavior. By building diverse children's awareness and understanding of both interpersonal and social conflict, this academic unit seemed to contribute to peacebuilding.

B. Facing History: Confronting Intolerance in Social Studies and English Class

Facing History And Ourselves (FHAO) is a Holocaust education curriculum and teacher-training program, based on the U. S. East Coast. The 2000- to 2001-pilot study examined its widely used manual and internet-based resources. Similar to Community Builders, this initiative uses exercises and narratives, such as that of Anne Frank, to present the idea of oppression and the idea that people can choose to become allies to help others resist or escape oppression. It teaches about many

of the same basic concepts as Community Builders and the sexual harassment materials—in-groups and out-groups, perpetrators, victims, and bystanders (witnesses or allies). Similar to the elementary unit, it also attends to students' development of academic competence. The FHAO curriculum explicitly emphasizes confronting and overcoming intolerance. Its goal is that "teachers and students explore the roots of religious, racial, and ethnic hatreds and their consequences" (98, p.xvii). In particular, FHAO emphasizes that unexamined or taken-for-granted prejudices are dangerous. Lessons are designed for grades 7 and 8 classrooms, to be integrated into academic courses such as English and social studies over a period of at least a month and often considerably longer. They provide primary source material and individual narratives, written from the lived perspectives of perpetrators as well as victims and allies, for students to read, compare, and discuss.

The major case studied in FHAO is the rise of anti-Semitism and the Nazi Holocaust in the first half of the 20th century in Europe. Particular episodes and perspectives arising from this conflict are compared with other historical scenarios of intolerance, such as slavery in the United State and the Tutsi–Hutu genocidal war in Rwanda; these are also continually connected to students' own personal experiences with prejudice, exclusionary social cliques, bullying, and related phenomena. Key concepts, such as racism, democracy, nationalism, conformity, leadership, and power, are revisited throughout a flexible series of lessons that can take from a few weeks to a full year. Lessons and resources emphasize the choices made by individual persons to support or resist elements of intolerance and oppression. For example, in one reading historian C. Browning (98, Chap. 7), describes a police battalion made up of working class men whose commander offered them the opportunity to opt out of an assignment to round up Jews from their villages to be shot. Through interviews, Browning finds that many men chose not to opt out, in spite of claiming to disagree with Nazi philosophy, because they were afraid that their peers would consider them cowards. Follow-up questions probe the problem of anti-Semitism in that historical context, but also probe the interpersonal phenomena of gender identity and peer pressure and their relation with bullying and exclusion in students' own lives.

In FHAO, students are taught academic skills related to conflict resolution, such as examining evidence and interpreting a writer's bias. The narratives provide models of alternative approaches individuals could take to confront injustice. As with the sexual harassment initiatives and the elementary unit, and in contrast to Community Builders, no one specific remedy is prescribed. Students are not told what to do or believe, although the anti-intolerance perspective and goal of the course is clear. Rather, the goal "is to help them clarify and stake a claim to their beliefs" (99, p. 62). Because of this openness, and because no mediator role is proposed, students are exposed to less direct risk, yet they are given some guidance for ways in which they might take responsibility. Research conducted

in a FHAO classroom in Massachusetts indicates that many students did apply the lessons of FHAO to at least one real problem of social exclusion in their own interpersonal relations (www.facinghistory.org). An emphasis on long-range peacebuilding can complement short-range peacekeeping; at the same time, conflict resolution education may complement academic learning.

IV. DISCUSSION

There are many different kinds of conflict resolution education. Most of them can contribute to young people's capacities to manage conflict nonviolently, even in the complex power-imbalanced situations they encounter in pluralistic democracies. The six foregoing examples of conflict resolution education initiatives cannot be arranged neatly on the continuum between minimum–immediate violence prevention (peacekeeping) and longer-term capacity building and redress of the sources of violence (peacebuilding). Instead, they illustrate some of the complex, messy ways peacekeeping and peacemaking goals intersect, in practice, with implicit and explicit education on procedures, skills and understandings, and relationship contexts for managing conflict. Most of the foregoing initiatives aim closer to the peacebuilding end of the continuum than do typical conflict resolution initiatives in schools, because they address antibias or inclusive self-determination goals. However, none of them completely ignores the importance of shorter-term peacekeeping. The different ways these initiatives handle these overlapping goals highlight some of the key questions for the development of conflict resolution education.

In some of these initiatives, youth learn about interpersonal or social conflict and violence without receiving explicit strategies for conflict resolution. Lederach (100) argues that conflict resolution education can be more open and effective cross-culturally when it elicits a diversity of knowledge and strategies, rather than prescribing a one-size-fits-all approach. At the same time, particularly in the context of underfunded public schools hamstrung by high-stakes achievement testing, the advantage of a relatively prescriptive formula is that it can be implemented efficiently with only a few days of specialized training for a few students. Leave Out Violence (LOVE) in Toronto spends much time with a small group of affected youth, giving them a broad set of communications and photojournalism tools to express their diverse concerns and recommendations. The Center for Conflict Resolution (CCR) in Cleveland spends 3 days at each of dozens of schools (plus follow-up visits) teaching each small team of youth leaders to perform a specific conflict resolution strategy, the peer mediation process. The former can work well and can also spin its wheels by focusing more on problems than on solutions. The latter also can work well but risks, through insufficient resources for in-depth education and follow-up with school leaders, being misim-

plemented as a more repressive form of peacekeeping than intended in some schools.

Similar to LOVE, the Larkin-inspired sexual harassment initiatives empha-size awareness of violence (including sexism as a cause of violence) and do not prescribe specific solutions—except, to varying degrees, adult-directed peacekeeping policies to punish harassment after it arises. Similar to the CCR, Community Builders (CB) trains students to conduct specific intervention strate-gies following prescribed formulas. Both confront complex social injustice con-flicts at the interpersonal level. The former risks discouraging students by raising awareness of problems without giving them tools or empowered roles with which to solve them; the latter risks discouraging students by giving them a great deal of responsibility and temporary confidence in a solution that may be inadequate to handle some situations.

The Facing History and Ourselves (FHAO) curriculum, and the thematic elementary unit on conflict, focus mostly on understanding the causes of conflict, including matters of justice. However, because they develop over several weeks or months, they are still able to provide some time for solutions; mainly, by presenting and analyzing multiple models of ally roles from stories and historical case studies, as well as from the students' own creative invention. As does LOVE, FHAO goes on to help students clarify and express their own diverse convictions, rather than asking them to adopt particular conflict intervention procedures. Simi-lar to LOVE's photojournalism component, FHAO and the elementary conflict unit incorporate powerful academic skills, such as literacy, graphic communica-tion, critical reading of news media, and historical analysis, both to legitimatize the time they spend on conflict education and to strengthen the students' compe-tence for autonomous conflict management.

Thus, education for conflict resolution may prescribe specific procedures, and train the youth themselves (as in peer mediation) or school leaders (as in antiharassment codes) to manage these procedures; or it may focus on helping youth to understand the causes of conflict and violence and on eliciting a breadth of possible solution alternatives. In social contexts of pluralism and inequity, it is not certain whether an overall emphasis on settlement and prescribed solutions, predominant in many youth-oriented conflict resolution education initiatives, nec-essarily generates sustainable peace any more effectively than the more elicitive approaches.

Another balancing act for conflict resolution educators is the relative atten-tion to simple generic interpersonal disputes versus complex social conflict, cul-tural difference, and equity issues. The skills and understanding dimensions of conflict management tend to emphasize things that individuals can learn and act on themselves; thus the pull toward individual solutions is built in. Often, social conflict and antiprejudice elements are somewhat marginalized in separate and advanced sections of conflict resolution training agendas, after some other pre-

sumed basics have been covered. Yet the thematic elementary unit on conflict calls into question the common assumption that interpersonal conflicts and individual solutions are necessarily easier to understand, or are prerequisite to understanding and imagining solutions to social conflict. Not all social conflicts have such tangible elements as the denial of basic human needs, but neither are all interpersonal conflicts as simple as the individual misunderstandings that are so effectively handled by verbal negotiation, with or without peer mediation.

Facing History and Ourselves, Community Builders, the sexual harassment initiatives, and to some degree the elementary thematic unit focus on raising students' awareness of social conflict—prejudice, intolerance of social difference, and social exclusion—through testimonies and other narratives. One of these initiatives, CB, prescribes an individual-level procedure for dispute intervention, whereas the others encourage the youth to talk and work together in groups to develop their own solutions. The CCR peer mediation and LOVE antiviolence photojournalism focus, in different ways, on the costs and management of conflict at the individual level. However, this does not imply that they ignore or are unaffected by the social contexts in which those conflicts take place. The CCR trains a diverse team of mediators and expects them to meet together periodically with their advisor to assess, refine, and tailor their program to their own school context, including the cultural identities and intergroup issues that may be prevalent there. By creating specific new roles and support for diverse youth leaders, peer mediation can initiate concrete change in a school community's social relations. However, if a mediation program provides insufficiently clear support for these new relations, the prevailing hierarchy and biases of a school can easily reassert themselves. The immediacy of personal testimony and photojournalism in the LOVE initiative effectively communicate the importance of the participants' diverse social contexts in nurturing and escalating violence: the empowerment of diverse participants to speak out for themselves could make it possible for some of them to confront these social problems in their own testimonies and actions. Conflict education programs are more likely to contribute to sustainable peacebuilding when they allocate time and resources to critically examining social as well as individual conflicts, and forging new roles and relationships that overcome inequity and social exclusion.

To overemphasize settlement and quiet manners, ignoring unequal power, cannot stop escalation and entrenchment of injustice. The initiatives profiled here show alternatives to this conflict-avoidant approach to conflict resolution education. In different ways, they raise or bring to the foreground conflict, and encourage students to take action, rather than emphasizing punishment or premature settlement. This allows learners to focus on addressing the causes, not just the symptoms, of social and interpersonal conflict and violence. At the same time, these initiatives show the critical need for conflict management understandings and procedures that could adequately handle power-imbalanced and cross-cultural

situations, and still be fairly efficiently learnable under conditions of limited time and resources. Even where educational initiatives teach specific conflict management procedures, those procedures often seem disconnected from, or inadequate for handling, the interpersonal manifestations of power-imbalanced social conflicts. Pushing conflict settlement without facing the sources of unequal power and social conflict can reinforce injustice. At the same time, raising conflicts and controversies without providing tools for analysis and management might be almost as detrimental, by not offering clear support for citizen agency to improve the circumstances. The field of conflict resolution, which has begun to address these dilemmas in other arenas, could contribute to improving youth-oriented conflict resolution education.

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2

The Qualities of Peacemakers

What Can We Learn from Nobel Peace Prize Winners About Managing Conflict Within Organizations?

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I. A STUDY OF PEACEMAKERS

> There's a tension at the heart of human nature. And whenever we set out to dream our dreams and to build our temples, we must be honest enough to recognize it.
>
> Martin Luther King, Jr.

In 2001 we conducted a study on the qualities of peacemakers (1). The study involved the analysis of autobiographical material of eight Nobel Peace Prize Winners to discover common characteristics that aid the process of resolving conflict and striving for the attainment of peace. Although the qualities that emerged from our analysis were exhibited by Nobel Peace Prize Winners, largely within the context of national and international political conflict, it seems that some of our results may be relevant to leadership practices and the management of conflict within organizations.

The aim of our study was to discover and describe the qualities of peacemakers relative to broadening research on conflict resolution. Psychological research has generated much work on problem-orientated behavior, such as aggression. There has been less work on what makes individuals prosocial and altruistic. We conducted our study in an attempt to extend this area of knowledge by identifying the qualities characteristic of those who excel in peace action.

II.   WHY STUDY NOBEL PEACE PRIZE WINNERS?

The concept of Peace is often associated with an inert, sublime state that is to be achieved by the abolition of war; a return to some underlying natural state free from the war "disease" (2,3). An alternative is to view conflict as a natural state. Considering that conflict may be a normal and, hence, inevitable aspect of reality, efforts to discover a cure for the war disease may be better spent on a shift of focus from the cause of conflict to the factors that bring about peace (4). If we accept that conflict is characteristic of life, then it may be useful to search for the means to deal with it through the examination of the lives of those who actively strive for and make progress toward peace in the face of hostility and disharmony.

Noble Peace Prize Winners (subjects) were selected to effectively operationalize success as a peacemaker. As is sometimes true with examples of giftedness, eminence serves here as a means of identifying successful peacemakers. The eight Nobel Peace Prize Winners selected for our study were chosen because they had written autobiographies that were available and printed in English. The Noble Peace Prize Winners forming the subject group of our study were: Lord Boyd-Orr, Willy Brandt, the Dalai Lama, Martin Luther King, Jr., Nelson Mandela, Rigoberta Menchu, Lech Walesa, and Elie Wiesel.

We used authorized, published autobiographies to avoid second-auther perceptions and to have access to the writers explanations of their own thought processes. The inclusion of autobiographical material is justifiable for usage in qualitaitve research, as documentary sources are seen to be equivalent to field notes or interviews (5,6).

Nobel Peace Prize Winners have been publicly acknowledged for their ability to bring about positive change in the face of frequent and long-lasting conflicts. Consequently, to aid our analysis, we wanted to draw on a developmental theory that acknowledges human experience as being characterized by conflict, as opposed to extended plateaus of stability. The developmental theory we used is called Riegel's (1979) Dialectic Theory.

III.   RIEGEL'S DIALECTICAL THEORY OF DEVELOPMENT

Riegel's (8,9) theory offers an account that describes how conflict can lead to creativity and development in both individuals and society. He proposed a developmental theory that emphasizes the prevalence of contradiction and conflict in human experience along with the need to view things, people, and experiences dialectically. Contradiction, conflict, instability, and crisis, as opposed to successive progressions from and to periods of stability and equilibrium, characterize Riegel's Dialectical Model. The concept of the dialectic adopted by Riegel is

borrowed from philosophy. It was Hegel who proposed a dialectic logic in opposition to formal logic; thus providing a new way of describing worldly experience (7).

According to Riegel (9), contradiction or *asynchrony* arises in human experience within or between two or more developmental progressions. These progressions are labeled as follows: (1) *inner-biological* (e.g., intelligence, temperament); (2) *outer-physical* (e.g., housing, nutrition;) (3) *individual-psychological* (e.g., individual's attitudes; and) (4) *cultural-sociological* (e.g., values of social systems).

Crises occur as a result of contradiction between or within these dimensions and can be resolved only by synchronization. Asynchronies that arise within or between the individual-psychological and the cultural-sociological progressions are of most interest to social scientists (8). Synchronization within or between these progressions involves a reinterpretation of the conflicting progressions. Contradiction is overcome by reorganizing the contradictory progressions so that a new encompassing understanding is reached. This new outlook represents dialectical maturity and a developmental leap, but not stability. For further internal and external conflict is inevitable in life. It is this very contradiction that drives activity that leads to development in both individuals and society (9).

Riegel asserts that the dialectically mature individual accepts that contradiction stimulates all thought and action. She or he must also acknowledge the contradictory properties of things (e.g., *X* is long and short, heavy and light) and experiences (*X* was good and bad, positive and negative). These dialectical individuals do not always seek to restore order when contradiction is recognized. Instead, they expect and endure such confrontations and regard crises as a positive step towards progressive change (10).

Thus, in line with Riegel's model it appears that conflicts occur as a result of contradiction within the individuals, between individuals, between individuals and society, or between communities or nations. According to Riegel (9), such asynchronies can be resolved only by synchronization of contradictions. This process involves a reinterpretation of the apparent contradiction. To overcome conflict in a dialectically mature manner, one must (1) recognize the contraction underlying the conflict, and (2) achieve synchronization by developing an overriding hypothesis that encompasses the contradictory elements.

Dialectically immature responses to conflict include (1) the lack of acknowledgment of contradictory elements, or (2) the acknowledgment of contradictory elements, but the failure to develop a synchronizing hypothesis. In a dialectically immature response, on individual blindly follows one aspect of the contradiction and ignores the other contradictory element (Fig. 1) (11).

In the case of conflict between two people or groups of people, the contradictory elements are the needs of one person or group verses the needs of another person or group. A dialectically immature response to this conflict would be to
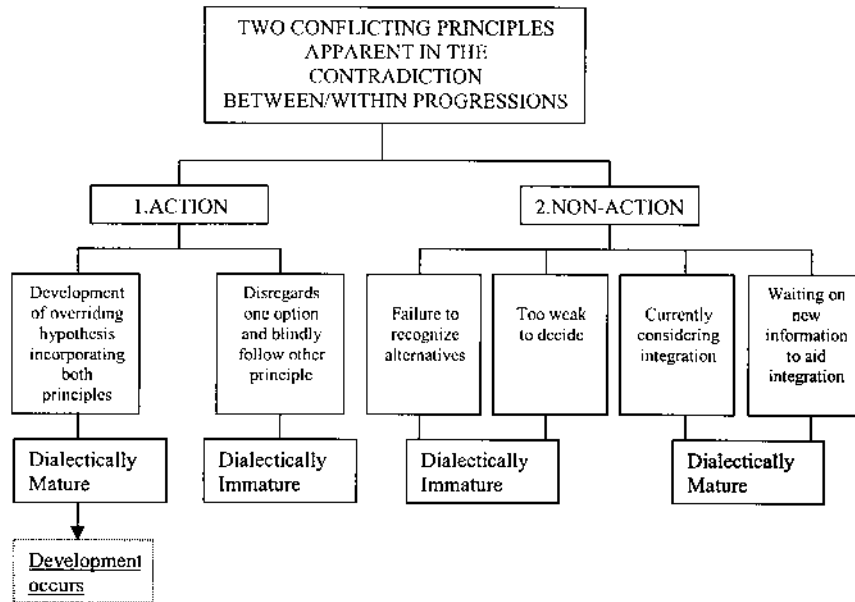
Figure 1 Processes involved in the experience of a dialectical crisis. Adapted from Ref. 11.

pursue the needs of one person or group while simultaneously ignoring or only partially attending to the needs of the other person or group. Indeed, pursuing the needs of only one person or group may result in further detriment to the other group, thereby creating greater contradiction serving to sustain conflict. Might (physical, verbal, or emotional) exerted in an attempt to pursue the needs of one person or group may temporarily hinder an overt response by the other person or group. However, the maintenance and inflation of contradiction, owing to the failure to incorporate the needs of both parties, ensures that conflict will endure, with the danger that this conflict may surface at a later time.

In drawing on Riegel's (9) dialectic theory in our analysis, we wanted to establish whether or not the autobiographical data reflected qualities of peace-makers that can be associated with this theory (e.g., the capacity to consider conflicts or crises as a positive step toward progressive change).

In addition to Riegel's (9) model, our discovery of the qualities of peace-makers was also guided by prior research on peace activism (12,13) as well as literature on the concept of peace.

IV. TEMPLATE ANALYSIS: DISCOVERING THE QUALITIES OF PEACEMAKERS

To discover qualities directly from the autobiographical material as well as incorporating information from Riegel's model, prior research on peace activism and literature on the concept of peace, we used an approach known as template analysis. The qualities of peacemakers that emerged from our analysis will be referred to as categories of data.

According to the quailitative approach of template analysis, a list of categories forming a template is developed as a representation of the themes relevant to the data (14,15). These categories may be driven by background literature, or as in grounded theory (16), they may emerge directly from analysis of the data itself.

The process of template analysis involves a combination of the development of the template and its application for data analysis (17,18). That is, while applying the initial template to the autobiographical material, the template was revised. Revisions to the initial template included both the additions of newly emerging categories as well as the exclusion of categories that did not seem to fit the data and the modification of established categories to represent the themes in the data more accurately.

Categories, that formed the final template were derived from analysis of the following:

1. Riegel's (9) dialectical theory of development (e.g., life is characterized by crises and conflict).
2. Prior research on peace activists conducted by Adams (12) (e.g., interconnectedness; responsibility for the whole) and Dowton and Wehr (13) (e.g., adoption and maintenance of long-term goals)
3. Literature on the concept of peace (e.g., peace concept; inner, societal, and international peace),
4. The autobiographical data itself (e.g., kinship with others)

Autobiographical data files were coded according to the final template categories, using a software package called N5 (see Creswell, 1998 for a discussion of the advantages of using N5 with qualitative research).

V. WHAT CAN WE LEARN FROM NOBEL PEACE PRIZE WINNERS?

This chapter will focus mainly on those qualities associated with categories derived from Riegel's (9) dialectical theory of development and several qualities that seemed to aid peacemakers in sustaining their involvement in peace action.

Table 1 Categories Relevant to Leadership Practices and Conflict Management Within Organizations

Category	Thematic content
1. Optimism; faith in the goodness of humanity	Faith in the innate goodness and potential of humanity or a sense that one's goals are achievable.
2. Intereconnectedness responsibility for the whole	Extension of sense of responsibility to world issues or interconnection with humanity as a whole
3. The contradictory nature of things	Recognition of the contradictory nature of things, people, and experiences
4. Life is characterized by crises and conflict	Acknowledgment that life is characterized by crises and embracing change
5. Kinship with others	Assertion that one is not more "important", than or different from, others
6. The opposition – others consist of contradictions	Viewing the opposition as consisting of contradictions as opposed to viewing others as completely bad, evil and such
7. Acknowledging the contributions of others verses egocentrism	Open acknowledgment of the achievements of others
8. Creating crises as a means to peace	Stimulating disorder within society in an attempt to create tension that will lead to the need to integrate contradictory progressions to include justice or rights for the oppressed

Table 1 displays those categories, and a summary of their thematic content, that may be useful in showing us effective ways to manage conflict within organizations:

A. Optimism; Faith in the Goodness of Humanity

> To this I added my firm belief that no matter how bad things become, they will eventually get better. In the end, the innate desire of all people for truth, justice, and human understanding must triumph over ignorance and despair.
>
> Dalai Lama

Assertions of faith in the innate "goodness" of humanity and a sense that set goals are achievable were commonly expressed by Nobel Peace Prize Winners. This faith in the goodness of humanity seems to enable one to hold an optimistic outlook for the attainment of peace and justice. Analysis of the data revealed that this faith in humanity was not merely an underlying belief that implicitly influ-

ences thoughts and actions; rather, such beliefs were often consciously evoked as a means of fending off pessimism when confronted with difficult circumstances. This reference to one's faith in humanity in the face of adversity is clearly asserted by Nelson Mandela when he writes:

> No one is born hating another person because of the color of his skin, or his background, or his religion. People must learn to hate, and if they can learn to hate, they can be taught to love, for love comes more naturally to the human heart than its opposite. Even in the grimmest times in prison, when my comrades and I were pushed to our limits, I would see a glimmer of humanity in one of the guards, perhaps just for a second, but it was enough to reassure me and keep me going. Man's goodness is a flame that can be hidden, but never extinguished.

In this example, Nelson Mandela describes his process of seeking evidence in reality (i.e., "a glimmer of humanity in one of the guards") that matches his belief that humans are innately *good*, thus enabling him to fuel his sense of optimism and, consequently continue his strivings for peace and justice.

B.   Interconnectedness; Responsibility for the Whole

The capacity to draw on a faith in humanity to maintain optimism and to continue the process of resolving the conflict at hand seems to contribute to the capacity to extend one's sense of responsibility to encompass the whole of humanity. It appears that the capacity to acknowledge the contradictory elements within the global community and to extend one's sense of responsibility to encompass the needs of all the elements within society seems to require the ability to maintain faith in the innate goodness of humanity. That is, even though there is opposition and conflict within society, all human beings are innately good; therefore, one should embrace humanity as a whole and extend one's sense of responsibility to encompass even those who appear to stand in one's way.

An analysis of the data revealed that Nobel Peace Prize Winners feel such a sense of responsibility to the whole of humanity. In addition, the analysis also indicated that peacemakers often express that it is important for others to develop a more global sense of responsibility to promote the resolution of conflict and the peaceful existence of all peoples:

> It seems to me to be the key to human development. Without such a sense of Universal Responsibility, there can be only unequal development in the world. The more people that come to realize that we do not live on this planet of ours in isolation—that ultimately that we are all brothers and sisters—the more likely is progress for all humankind, rather than just for parts of it.
>
> <div align="right">Dalai Lama</div>

C.   The Contradictory Nature of Things

In addition to the capacity to acknowledge the contradictory elements within the global community (that is, the conflicting needs and desires of different groups), analysis of the data revealed that peacemakers were also able to recognize the contradictory nature of things, people, and experiences. According to Riegel (9), an individual must be able to acknowledge these contradictory properties if he or she is to be considered as dialectically mature. It is the acknowledgment of contradictory elements that forms the first step in the dialectically mature resolution of crises or conflict; that is, crises occur when one experiences contradiction at some level. This contradiction may occur within an individual, between individuals, within organizations, or between groups or societies. One must first recognize the contradiction inherent in the crisis at hand and then develop an overriding hypothesis encompassing both contradictory elements for development and for a dialectically mature resolution of the conflict to take place.

Elie Wiesel expresses an example of the acknowledgment of internal contradiction when he writes of his contradictory beliefs. The subject describes the presence of both his faith in God and his refusal to accept justification for God's lack of intervention during the Jewish Holocaust:

> I have never renounced my faith in God. I have risen against His justice, protested His silence and sometimes His absence, but my anger rises up within faith and not outside it. I will never cease to rebel against those who committed or permitted Auschwitz, including God. The questions I once asked myself about God's silence remain open. If they have an answer, I do not know it. More than that, I refuse to know it. But I maintain that the death of six million human beings poses a question to which no answer will ever be forthcoming.

This passage seems to express not only the notion that there is no answer to the question of why God remained "silent as six million people were murdered," but also the sense of Wiesel's acceptance that there is no way to synchronize the contradictory beliefs that he holds. He does not (1) refuse to accept that there is a legitimate reason why god remained silent and thereby denounce his faith in God. Nor does he (2) blindly cling to his faith in God and thereby accept that there must have been a reason for God's lack of intervention. Rather, he displays dialectical maturity by describing his capacity to acknowledge and endure contradiction; he tolerates the contradictory beliefs that (1) he has faith in God, and (b) he is angry with God for unjustly allowing the death of six million people to take place.

This capacity to tolerate contradiction instead of blindly following one element of the contradiction is crucial to attaining a dialectically mature resolution to crises and conflicts. In this case, the resolution to this internal conflict is the acknowledgment that there is a contradiction and that it is alright for this

contradiction to remain open. In other examples, such as conflict within organizations, it will be possible to synchronize contradictory elements into a new outlook. This new outlook must occur as the result of a new understanding that encompasses both elements of the contradiction. If synchronization does not occur and the interests or needs of one person or group are promoted at the expense of the contradictory interests or needs of the other person or group, then conflict is likely to remain or resurface at a later point in time. The likelihood of recurring conflict is due to the failure to incorporate both contradictory elements leading to the preservation of contradiction.

D. Life is Characterized by Crises and Conflict

Nobel Peace Prize Winners also exhibited dialectical maturity when they expressed their acceptance that conflict and crises characterize life. Thus, they are able not only to recognize and tolerate contradictions, but also are able to acknowledge that these contradictions that are inherent in any crises or conflict, are to be expected. That is, conflict is a "normal" aspect of human experience and will be experienced frequently within one's own lifetime. Lech Walesa provides an example of the acknowledgment that life is characterized by crises:

> From now on, every day brings me closer to the unknown. I shall have to face bigger problems, harder tasks; perhaps the worst is yet to come. This is how I see my future, and I try to prepare myself for whatever it may bring.

Martin Luther King, Jr., provides an example of one who embraces conflict or crises when he explains his adoption of Hegel's philosophy of a dialectic logic:

> His contention that "truth is the whole" led me to a philosophical method of rational coherence. His analysis of the dialectical process, in spite of it's shortcomings, helped me to see that growth comes through struggle.

Through the process of analyzing the autobiographical material, it became apparent that Nobel Peace Prize Winners tended to view conflict as a normal aspect of human experience that can lead to positive change and development. They did not seek to avoid or dampen conflict, but rather, viewed conflict as a potential cure for stagnation and as a potential source of change within societies. Martin Luther King, Jr. summarizes the importance of viewing conflict as a potentially constructive process:

> I am not afraid of the word "tension." I have earnestly opposed violent tension, but there is a type of constructive, nonviolent tension which is necessary for growth.

The notion that human life is permeated by contradiction and that consequently conflict is an inherent aspect of human experience, implies that conflict

should be understood dialectically. That is, conflict can be seen as both destructive and creative. Conflict can disrupt social order and may lead to disharmony. The creative aspect of conflict becomes apparent when the contradictions inherent in any conflict serve as the impetus for the moral and social growth of humanity (18).

Rather than being surprised, angered or overwhelmed by the occurrence of conflict or crises, Nobel Peace Prize Winners were able to recognize this creative aspect of conflict. Conflict may lead to the creation of something new as a result of synchronizing the inherent contradictory elements into an overriding hypothesis. Considering that conflict may lead to a new outlook, growth, or development, it seems that the failure to acknowledge or resolve conflict is likely to lead to stagnation. Thus, if creativity and development are to be promoted and stagnation is to be discouraged, conflict must not be only acknowledged, but also embraced and encouraged.

E. Kinship with Others

This capacity to embrace conflict, combined with a sense of optimism, an extended sense of responsibility, and the acknowledgment and tolerance of contradiction, does not imply that peacemakers do not assert their own views or needs when experiencing conflict or crises. Nobel Peace Prize Winners are assertive; however, they assert their position with a sense of kinship. That is, they tend to use language that is transparent and uncomplicated. When reading their autobiographies, one gets the sense that they are speaking straight from the heart without resorting to technical terms or literary embellishments. This style of expression has the effect of drawing in those who are listening because the language does not imply that the speaker has a sense of superiority or expertise. The listeners do not feel alienated or belittled, but rather, experience a sense that they can relate on the same level as the speaker.

This notion that no one is more "important" than, or different from, others is commonly expressed explicitly by Nobel Peace Prize Winners. Lech Walesa provides a clear example of this when he recollects a meeting with shipyard workers:

> I'm like the rest of you, I feel the same temptations . . . I do know that one
> shouldn't hurt other people, that one shouldn't do things at other people's
> expense, but believe me, I'm really not a saint. And I wouldn't want to be,
> for then you wouldn't understand me anymore.

F. The Opposition and Others Consist of Contradictions

This capacity to view oneself as ordinary, and thus similar to others, is also extended to the enemy or opposition that a peacemaker must face. The enemy

is not viewed as inferior or seen as a force to be conquered. Rather, they are considered dialectically and seen as a necessary aspect of the resolution to the conflict at hand. That is, peacemakers tended to view the opposition as consisting of contradictions; they do not have a perception of the enemy that is either positive or negative. Rather they see the enemy as persons who are potentially bad and good.

An example of perceiving the opposition as consisting of the potential contradictory roles of friend and enemy is expressed by the Dalai Lama:

> To engender altruism, or compassion, in myself, I practise certain mental exercises which promote love towards all sentient beings, including especially my so-called enemies. For example, I remind myself that it is the actions of human beings rather than human beings themselves that make them my enemy. Given a change of behaviour [sic], that same person could easily become a good friend.

A further dialectical example is described by Nelson Mandela in his account of the enemy as consisting of the contradictory roles of both the oppressor and the oppressed:

> I knew as well as I knew anything that the oppressor must be liberated as surely as the oppressed. A man who takes away another man's freedom is a prisoner of hatred, he is locked behind the bars of prejudice and narrow-mindedness.

It seems that this dialectical perception of the enemy may enhance the peacemaker's capacity to negotiate and bring about peaceful change. Holding this perception of the opposition enables the peacemaker to approach the enemy as a potential partner in negotiations, for the enemy is considered to possess the potential not only to act "bad" and cause suffering, but also to do "good." In addition, acknowledging that the opposition not only oppresses others, but also is an agent that experiences hardship, demonstrates the peacemaker's willingness to approach the enemy with a sense of openness and understanding. In contrast, a purely negative perception of the enemy as an unmovable opponent that should be hated or conquered is seemingly less conducive to peaceful negotiations.

G. Acknowledging the Contributions of Others Verses Egocentrism

Considering the enemy as potentially bad and good also enabled peacemakers to recognize and acknowledge the efforts of the opposition toward reaching a resolution to the conflict at hand. Noble Peace Prize Winners commonly expressed open acknowledgment of the achievements of others, be it the opposition, comrades, friends, or spouses (as opposed to a focus on their own achievements).

This tendency not to be egocentric emerged as a salient theme in the data. The recognition of the efforts of others involved in the peace process was typically expressed as a response to receiving the Nobel Peace Prize:

> The award [Nobel Peace Prize] was a tribute to all South Africans and especially to those who had fought in the struggle; I would accept the award on their behalf. I used my speech in Norway not only to thank the Nobel committee and sketch out a vision of a future South Africa that was just and equitable, but to pay tribute to my fellow laureate, Mr. F. W. de Klerk . . . To make peace with an enemy one must work with that enemy, and that enemy becomes one's partner.

This passage written by Nelson Mandela illustrates his emphasis on the achievements of others, including his "enemy." In addition his reference to Mr. F. W. de Klerk as potentially an enemy and potentially a partner indicates a dialectical perception of the opposition.

H.   Creating Crises as a Means to Peace

In line with the notion that the enemy consists of contradictions and is thus potentially moveable, Nobel Peace Prize Winners frequently attempt to force the opposition to shift from a position of the oppressor to that of acknowledging the needs of the oppressed. Our analysis revealed that peacemakers often attempt to force the enemy to acknowledge the contradiction between the needs of the oppressed and that of the oppressor and, there by, attain an eventual resolution to the conflict, by stimulating disorder within society:

> Nonviolent direct action seeks to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue.
>
> <div align="right">Martin Luther King, Jr.</div>

This example illustrates the notion that, through the creation of disorder, society is forced to acknowledge the contradiction present within (the needs of the oppressed versus the needs or wants of the oppressor).

In attempting to force nations into a dialectically mature response to conflict, Nobel Peace Prize Winners have further ignited conflict. Methods used to surface contradictions include strikes, boycotts, calling on international economic sanctions and, at times, acts of violence.

By forcing society to acknowledge the contradiction within, it is anticipated that an integration of both contradictory elements can occur through negotiations and thus societal development will be achieved.

Considering that conflict can be creative and may lead to growth and development, as opposed to stagnation and lack of innovation, it may be appropriate

to use methods to encourage conflict within the individual, between individuals, within an organization, or between societies. This notion of fostering disorder to promote a creative resolution to conflict that will result in development, highlights the importance of discouraging practices of avoiding or repressing conflict. It seems that it may be fruitful not only to cease practices of conflict avoidance or repression, but also to encourage and stimulate conflict so that parties are forced to confront contradictions and are thus more likely to reach a creative resolution, be innovative and develop.

VI. SUMMARY: REFLECTIONS ON THE QUALITIES OF PEACEMAKERS THAT MAY AID THE RESOLUTION OF CONFLICT WITHIN ORGANIZATIONS

We have seen that peacemakers bring a sense of optimism based on their faith in humanity to their experience of any conflict or crisis. It is this faith in the innate goodness of humanity that enables them to continue to strive for a resolution to conflict in the face of extreme hardship and constant setbacks. Thus, even though the experience of conflict and crises may not feel "comfortable," and a resolution may take longer to occur than expected, consciously referring to one's faith in the potential of humans to be "good" enables peacemakers to endure conflict and maintain their goal to eventually reach a resolution.

Peacemakers also approach conflict with a sense of responsibility for the whole, including the needs of those with opposing views and needs. This extension of one's sense of responsibility, together with the capacity to acknowledge and tolerate the contradictory elements within a conflict or crisis lead the peacemaker towards a resolution to the conflict at hand that encompasses the contradictory views and needs of all parties involved. In addition, peacemakers view conflict as being characteristic of life experience, and value it as a positive step toward growth and change. Thus, they are less likely to be overwhelmed or discouraged by conflict or crises and more likely to reach a creative resolution to any conflict. In fact, peacemakers at times facilitate conditions that will further ignite conflict to force the acknowledgment of the contradiction inherent in the conflict at hand. They embrace and encourage conflict in an attempt to cause a shift from stagnation toward innovation, change, and growth.

When communicating with others, Nobel Peace Prize Winners express themselves in layperson terms, speak from the heart, and emphasize a sense of kinship with others. This sense of being on the same level as others is extended to the enemy or opposition, who is viewed dialectally as potentially good and bad. The tendency to assert that one is not more important than others implies a lack of egocentrism that is further indicated by the tendency of peacemakers to acknowledge the achievements of others. This expression of a sense of kinship

with others, communicating in a transparent and simple manner, together with acknowledging the contributions of others, including that of the opposition, seems to promote a greater likelihood that the peacemaker will incorporate the views and needs of the opposition into a resolution. In addition, these qualities imply a lack of egocentrism that seems to result in the peacemaker being perceived as more approachable to both comrades and the opposition thereby promoting conditions more conducive to peaceful negotiations.

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3

Contested Truths

Family Mediation, Diversity, and Violence Against Women

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I.   INTRODUCTION

Recognizing and disclosing domestic violence is difficult for the "victims" or "survivors," who are usually women and children. The difficulties women face in disclosing domestic violence to service providers was highlighted in 1996 by two Australian studies. The Australian Bureau of Statistics (ABS) national *Women's Safety Survey* (1) found that only a small proportion (26%) of women subjected to violence use crisis services or contact the police. Most women reported that they "dealt with it themselves" (2). In the same year, another Australian study (3) of mediation and domestic violence identified that of the 75 identified abused women who had attended family mediation sessions with their partner during the process of separation or divorce, 8 had told the agency "hardly anything," and 12 said "nothing" about the abuse or violence in their relationship, in spite of being asked. Seven did not answer this survey question.

This chapter will explore the many factors that constrain women from diverse cultural backgrounds from disclosing violence to mediators and other service providers, with reference to the political, social and cultural context within which violence occurs. As mediation relies on a roughly equal balance of power between the parties, and competence to negotiate for oneself, it is argued that screening individuals separately for experiences of domestic violence is necessary before mediation, in particular, during separation and divorce when violence is more likely to occur. This requires special mediator knowledge of the likely

behavior and needs of the persons concerned and an awareness of gender and cultural biases that may affect their assessments.

This chapter will first address the issue of domestic violence, with a particular focus on violence against women, and will then examine aspects of mediation within the family law context giving emphasis to two contested issues. First, whether mediators should screen for domestic violence, and second, if domestic violence has occurred in a relationship, whether mediation should proceed and under what circumstances. Whether mediation should occur when domestic violence has been a factor in a relationship is a highly contested issue. However, before this decision can be made, the fact that domestic violence has occurred needs to be discovered and disclosed, which may be difficult unless mediators are aware of the many factors that constrain women from reporting violence.

II. THE ISSUE OF VIOLENCE AGAINST WOMEN

A. Definitions of Domestic Violence

Central to most definitions of domestic or family violence is power and control by one person by another, who, in turn, experiences fear and intimidation. For example, in Australia the National Committee for Violence Against Women have defined male violence against women as:

> Behaviour by the man, adopted to control his victim, which results in physical, sexual or psychological damage, forced social isolation, or economic deprivation, or behaviour which leaves a woman living in fear (4).

In addition, the Australian Family Law Act, 1975 defines *family violence* as:

> conduct, whether actual or threatened, by a person towards, or towards the property of, a member of the person's family that causes that or any other member of the person's family to fear for, or to be apprehensive about, his or her well being or safety (5).

Studies of domestic violence have demonstrated that

> violence was used by men [against women] they lived with to silence them, to "win" arguments, to express dissatisfaction, to deter future behaviour and to merely express dominance (6).

Domestic violence is a social problem of international significance and has public and private dimensions. The label *domestic* has historically suggested that the violent behavior is either too private, or too trivial, to warrant outside intervention. It is a remnant of the past when a man could legally physically chastise his wife and children and women had no right to refuse sexual access to their husbands

(7). Until recently, patriarchal discourse, combined with the prevailing ideology of the family as a private institution, has made it hard to attract government, law-maker and community interest in the extent and level of domestic or family violence. Hoff (8) highlights that:

> Victim-blaming and self-blame of battered women are traced to traditional values about women, marriage and the family and to interpretations of violence as a medical phenomena or "private" matter between the couple.

Many forms of violence that are deeply rooted as well-established practices in Australian and other societies have not been named as *violence* in historical accounts, nor in definitions of violence:

> The often subtle and pervasive nature of such behaviours, the ways such behaviours are made invisible, obfuscated, or in many instances encouraged by custom, language, and law, mean that recognising and naming "violence" as violence and then responding to it accordingly is a difficult task. . . . What gets named as violence is important for developing strategies to eradicate it (9).

Feminist analyses of violence focus on the gendered social contexts within which violence occurs. Poststructuralist feminists highlight that the meaning of the term "violence" is socially constructed. Prevailing notions of culpability, victimization, the characteristics of the victim, and particular social, historical, and cultural contexts all influence interpretations of violence (10). In spite of the rise of feminism, women worldwide continue to struggle to have their needs recognized and met within male dominated systems (11). Any contest between the "truths," or experiences and perceptions of men and women will be affected by patriarchal contexts within which the rights of men are favored.

B. Women as Victims or Survivors of Domestic Violence

Domestic violence research findings clearly indicate that women are more likely to be victims of domestic violence and men are more likely to be perpetrators (12). Sociopolitical approaches to domestic violence use these terms to focus attention on the continuing subjection of women to violence in the home by men. However, this does not mean that all males are perpetrators, or that females do not perpetrate violence against males. There is a small percentage of males who are victims of female violence (13). This chapter, however, will focus on violence against women.

In the 1970s in Australia, domestic violence was made public by the women's movement as "violence against women" and now has a long political history. Over the past two or three decades, research into domestic violence has identified the predominance of male violence in patriarchal contexts and, more

recently, has focused on the links between violence against women and dominant discourses about masculinity.

Violence against women is prevalent worldwide and was first established as a development issue at the United Nations' Decade for Women's meeting in 1985 (14). Many researchers (15) across the Western world have provided evidence for the preponderance of male violence toward women. There is also much research evidence to support the premise that violence against women is a serious problem in Australia (16).

C. Types of Violence and the Issue of Power and Control

Violence is hard to quantitatively measure because the abuse of power gives rise to emotional and psychological responses from victims that make experiences of violence difficult to report. In addition, victims and researchers often fail to identify nonphysical forms of abuse as violence. For example, in a recent South Australian study (17) of the needs of men, women, and young people who have experienced domestic violence, the author and her colleagues asked victims "how often" the violence and abuse happened. They often reported that "he only hit me once or twice in a month, but I live in the fear he will hit me everyday." In this study, the 120 plus phone-in respondents (mainly women) were asked to consider the full range of abusive behaviors. When asked how frequently abuse happened, 84% responded that they experienced abuse at least once or twice a week or more often. Forty-nine percent reported abuse as a daily experience. Many reported that multiple forms of abuse occurred simultaneously. Controlling and intimidating perpetrator behaviors, leading to fear, were central to the experience of all of the victims interviewed.

An imbalance of power between perpetrators and victims distinguishes domestic violence from what Johnson describes as "common couple conflict," in which there is roughly equal balance of power between the persons involved (18). Johnson (19) uses the term "patriarchal terrorism" to describe male violence against women because it has the advantage of "keeping the focus on the perpetrator and keeping our attention on the systematic, intentional nature of this form of violence." He argues that this form of violence, which is the focus of *feminist* or violence against women research, differs from what he calls "common couple conflict" (20) which is commonly identified in surveys conducted by *family* researchers. He points out that the two traditions of research are dealing with non-overlapping phenomena—the sampling decisions give access to populations experiencing different forms of violence. Johnson also notes a possible sampling bias in self-report survey data aimed at identifying prevalence rates of domestic violence:

> Men who systematically terrorize their wives would hardly be likely to agree
> to participate in such a survey, and the women whom they beat would proba-

bly be terrified at the possibility that their husband might find out that they had answered such questions (21).

In reviewing a wide range of research literature there is ample evidence to confirm some of Johnson's views (22). Family researchers, unlike feminist researchers, tend to ignore the context of domestic violence and the complex issues of gender and power; therefore, their findings cannot be readily compared with the findings of feminist researchers for whom these issues are central. Most family violence studies using survey techniques, such as the Conflict Tactics Scale (CTS), have focused on physical assaults between couples (23). However, in 1997, Murray Straus (24), a key family researcher involved in these studies, acknowledged that physical assaults are not necessarily the most damaging type of abuse and that verbal aggression can be far more damaging (25). The commonly held view that domestic violence is mainly physical—such as hitting, slapping, pushing—has also been challenged by our South Australian study and most other domestic violence research. The vast majority of victims interviewed in our study reported that verbal, psychological, and emotional abuse occurred daily and was more devastating and long-lasting in its negative effect. In particular, many spoke about the unpredictable nature of abusive events, with psychological and emotional abuses occurring around the "little things" of daily life. Most victims reported that threats of physical violence were as powerful in maintaining control as the actual incidents of violence. One of the reasons for this was that perpetrators had shown that they were capable of carrying out the threats (26).

D. Men's and Women's Violence—Equivalence Debates

Recently in Australia, in part owing to increasing political pressure from men's rights and father's rights groups (27), there has been increasing concern that some victims of domestic violence are being ignored or silenced; namely, males who are abused by females. These concerns were fueled by the release of a research report entitled Domestic Violence in Australia: Are Women and Men Equally Violent (28)? The researchers claimed to provide evidence, based on a large survey, that men and women in intimate heterosexual relationships perpetrate domestic violence equally. However, in analyzing their research, we found that the questions asked focused narrowly on a limited range of physical behaviors, did not address the history or context of conflicts, and the findings, therefore, did not reflect similarity of motivation, action, or consequences for the men and women involved. Our report, which rebutted their findings, was commissioned by the Commonwealth Government's *Partnerships Against Domestic Violence*, and argued that the use of violence and the effects of violence differ both quantitatively and qualitatively for men and women (29). We found that although there is some evidence that both men and women engage in abusive behavior in hetero-

sexual relationships, studies suggest that the nature and consequence of women's violence is *not* equivalent to men's violence in the following ways:

1. Men's violence is more prevalent and severe. For example, when Straus (30) reanalyzed data from the often-cited 1985 National Violence Survey in North America, he found that men were six times more likely to inflict severe injury. Men in Australia commit about 91% of homicides, 90% of assaults, nearly all sexual assaults and nearly all armed and violent robberies (31). Most male homicides are committed by men in public places as a result of alcohol-related arguments (32).

2. In Australia the vast majority of victims of femicide (60%) are killed by their intimate male partners in a private residence (33). By contrast, less than 10% of Australian male homicides are perpetrated by intimate female partners (34).

3. Significant precipitants for men who kill their female partners are desertion, termination of a relationship, and jealousy (36). However, studies of wives who kill their husbands reveal that there is a history of marital violence in more than 70% of the cases and over half of husband-killings occur in response to an immediate threat or attack by the husband (37). Other studies also suggest that women's violence is more likely to occur as self-defence in relationships in which the male partner is violent (38). Women, however, are more likely to be killed by current and former male partners than by anyone else (35).

4. Men's violence toward women is most often an attempt to control, coerce, humiliate, or dominate (39) by generating fear and intimidation (40). However, women's violence is more often an expression of frustration in response to their dependence or stress (41), or their refusal to accept a less powerful position (42).

5. Most women whose partners are violent live in fear before, during, and after separation (43). However, male victims are far less likely to be afraid or intimidated and are more likely to be angry (44).

III. COMMUNITY RESPONSES TO VIOLENCE AGAINST WOMEN

A. Community Attitudes to Violence

As early as 1992, the National Strategy on Violence Against Women stressed that violence against women in Australia should not be allowed to continue (45). However, others have suggested that it may take at least two generations before attitudes toward domestic violence can be changed.

> Abuse of women's rights, be it domestic violence or blatant discriminatory customs or religious laws, are more often than not, simply tolerated or accepted as the norm (46).

A number of Australian studies have identified the extent of the problem in the community. In 1995, a national study of Community Attitudes to Violence Against Women reported that the community estimates that nearly five out of ten women have been, or will be, subjected to domestic violence (defined broadly) and that one in five Australians believe that in some circumstances it is acceptable for a man to use physical force against his wife (47). In this study, the members of the community were seen to be judgmental of women who experienced domestic violence by indicating that they did not understand why these women did not leave violent situations.

B. Protection Orders

For more than a decade in Australia the focus of law reform in the area of domestic violence has been to introduce new or amended forms of protection orders (48), with breaches of orders being a criminal offence. The Australian Family Law Act, 1975 defines a *family violence order* as:

> [A]n order (including an interim order) made under a prescribed law of a State or Territory to protect a person from family violence (49).

Criminal charges punish past actions, and protection orders seek to establish a range of conditions that will prevent violence. However, there is concern with the lack of enforcement of existing law, with unsatisfactory procedures and a lack of consistency across states and territories. There is also concern that some states and territories have adopted narrow definitions of domestic violence and exclude certain relationships from being eligible for protection, such as same-sex relationships (50).

C. Reshaping Responses to Domestic Violence: A South Australian Study

As a result of the 1996 ABS findings (51), the Australian Government's Partnerships Against Domestic Violence has funded a range of domestic violence research, including the aforementioned South Australian study that the author and her colleagues undertook to investigate the needs of women, men, and young people who have been involved in domestic violence situations (52).

The aim of our South Australian study was to inform the design and implementation of effective strategies and interventions to prevent domestic violence, based on a current analysis of the needs of victims, perpetrators, and also young

people who have witnessed domestic violence. The research strategies were inclusive of people from Aboriginal, rural, migrant, lesbian, and gay communities, and the findings have been published in a substantial three-volume report: Reshaping Responses to Domestic Violence [available on-line] (53). The methodology involved the following: a literature review to identify current research and initiatives in the prevention of domestic violence; a phone-in over 2 days to target the various groups and ensuring participants' anonymity (121 callers); and focus groups with women, men, and young people, lesbians, and service providers for people from Aboriginal and non-English speaking backgrounds. Violence during and after separation was identified as an ongoing concern for many women in our study. Women are much more likely to be abused, and even killed, during times of separation and divorce, and increased support is required during this time. For example, in spite of the introduction of laws against stalking in Australia, women reported that they were more likely to reenter an abusive relationship, rather than live with the fear and uncertainty of stalking.

A common community response to women living in situations of domestic violence is to ask: "*Why don't you leave?*"—which participants described as most unhelpful. There is also reluctance to intervene as women often change their mind after seeking help. Our research showed that domestic violence victims had very high levels of commitment to their relationships and nobody left their partner after a few incidents of violence and abuse. One reason for many women remaining in, or returning to, abusive relationships was their feeling of responsibility for the success or failure of this relationship, which was often reinforced by the responses of family, friends, and work colleagues. Women also found it hard to leave for many other reasons, including constant threats and intimidation that made them fearful, poor self-esteem, a belief that their partner (who they often still loved) could change, the presence of children, social isolation, or a lack of resources.

Informal networks were often women's first source of help for domestic violence, and the responses from family, friends, and work colleagues were critical in determining future courses of action. However, our findings highlighted the need for public education to help people respond appropriately and effectively when domestic violence is disclosed. The study highlighted that service providers, such as doctors and police, need further education and training to assist them to identify and label domestic violence, establish or adhere to appropriate protocols, respond effectively, and make appropriate referrals. A finding of importance to mediators was that emotional abuse, threats, and intimidation were reported by women in our study to be equally or more devastating than physical violence, but were rarely recognized by victims or service providers as "domestic violence."

The female victims in our study stressed the need for unconditional ongoing support from a friend, family member, or professionals and for people to maintain their links with them, in spite of the perpetrator's behavior or their failure to leave the situation, or the decision to return to a violent partner.

Our findings highlighted the difficulties that mediators may face when trying to uncover domestic violence when couples come for mediation of issues arising from separation or divorce. Perpetrators may see mediation as providing an opportunity to maintain ongoing contact with their partner or to persuade their partner not to leave, or persuade her to return. Where appropriate supports are lacking, victims may be too fearful to disclose the violence to the mediator, may be easily persuaded by the perpetrator to change their mind, or may make inappropriate agreements to "keep the peace."

Some family law professionals may believe that women manufacture accounts of domestic violence during separation and divorce for various reasons; for example, to keep the children, to gain access to property, or to deny the father visitation rights; or they may believe that violence has occurred as a consequence of the woman leaving. The fact that women often leave and return to a violent relationship many times may also lead professionals to believe that the woman is complicit in the violence. However, our study found evidence to the contrary. Ninety-five percent of respondents in our study reported that they had experienced abuse over a period of years, and many reported patterns of extreme cruelty and strategies of abuse that became more diverse and subtle over time. In many relationships, acts of cruelty were perpetrated on the women, the children (as primary and secondary victims), and on family pets. Mothers reported that most of their children had witnessed the violence and some had also been directly involved, supporting other research that demonstrates the close links between domestic violence and child abuse (54). Humiliation, cruelty, jealousy, leading to isolation from friends and family, and the infliction of emotional, sexual, or physical pain were common experiences. Victims frequently spoke of the perpetrators' need to control all aspects of their life, both in and away from the house, and most reported that the perpetrators' attempts to control lasted way beyond separation or divorce, with children being used as pawns in their strategies. The link between the length of the relationship and the experience of cruelty was particularly notable, especially as the common theme in the women's accounts of violent relationships was their daily experience of living in fear; before, during, and after separation and divorce.

IV. MEDIATION AND VIOLENCE AGAINST WOMEN

Since the early 1990s there has been an ongoing debate in Australia about whether mediation is possible at all where there is unequal power, and under what circumstances, and to what extent it is ethical for a mediator to empower the weaker party without compromising mediator neutrality (55). Since 1996, the Regulations of the Australian Family Law Act, 1975 have made it mandatory for family law mediators operating within the act to actively screen for domestic violence before

deciding whether or not to proceed with mediation. However, first of all, mediators need to be able to show that violence has been present in a relationship, this requires special knowledge and skill, given the degree secrecy and lack of disclosure that commonly occurs.

A.   Definitions of Mediation and the Concept of Mediator Neutrality

There are many definitions and models of mediation. The Australian National Alternative Dispute Resolution Advisory Council (NADRAC) has adopted the following generic definition of mediation:

> Mediation is a process in which the parties to a dispute, with the assistance of a neutral third party (the mediator), identify the disputed issues, develop options, consider alternatives, and endeavor to reach an agreement. The mediator has no advisory or determinative role in the content of the dispute or the outcome of its resolution, but may advise on or determine the process of ediation whereby resolution is attempted (56).

Central to this definition is the requirement that the mediator is neutral, and that there is roughly equal balance of power between the parties. *Impartiality* and *neutrality*, both perceived and actual, are seen to be essential to most Western models of mediation.

> Impartiality refers to the attitude of the intervener and is an unbiased opinion or lack of preference in favour of one or more negotiators. Neutrality, on the other hand, refers to the behaviour or relationship between the intervener and the disputants . . . the mediator can separate his or her opinions about the outcome of the dispute from the desires of the disputants and focus on ways to help the parties make their own decisions without unduly favouring one of them (57).

In general, when analyzing mediator neutrality as a concept, theorists tend to focus on the interpersonal dimensions of the process and ignore the influence of the social, legal, economic, political, and cultural context. For example, in 1984, Bernard and colleagues (58) differentiated between *interventionists* and *neutralists*:

> Interventionists challenge agreements because they claim consensus does not include the right of one party to exploit another. Neutralists argue that a true consensus would be known only to the parties and the worthiest motives of the mediator would not justify attempting to shape the agreement.

Table 1 illustrates a range of value positions relative to the concept of mediator neutrality.

Table 1 A Continuum of Value Positions Relative to Mediator Neutrality

Extreme position neutralist mediator	Midrange position balancer	Extreme position interventionist mediator
Attempts to be value-free	Openly shares values without imposing them	Value-laden
Nondirective	Suggests options only	Directive
Avoids influence	Shares information or refers to experts	Challenges, or refuses to accept, agreements
Relies on disputants' sense of fair play	Mediator states concerns	Mediator's sense of fair play important
Individual rights model	Concerned with balance	Paternalistic or systems model
Assumes on victims	Victim status recognized	Assumes victims
Stresses self-determination	Maximizes choices	Stresses collective responsibility

If there is domestic violence, the participants are not negotiating on a level playing field. Given this, I would argue that mediators should take an interventionist stance where domestic violence likely has been a factor in the disputant's relationship to ensure that screening for violence occurs, and if mediation proceeds, to ensure that both the process and outcomes of mediation are just and fair for all parties. Critics suggest that this may threaten a mediators' perceived and actual impartiality, wherein lies the dilemma.

Bernard et al. (59) recommend a strictly neutral mediator stance as an initial position in mediation, and stress that if deviating from this stance there should be an obligation for mediators to be open, deliberate, and to explain clearly their position and judgment to the parties. This implies that it is possible to take a value-free stance—that mediators can be trained to be aware of their cultural biases and be familiar with the cultural background of the disputants—which is debatable.

Interventionist strategies, which aim to balance power between disputants in mediation, are also seen to be ethically less dangerous if based on knowledge, information, and expertise, rather than on values or assumptive knowledge: the assumption being that knowledge is value-free. However, social constructivists (60) argue that knowledge both represents and defends people's ideology and is constructed, reinforced, and maintained to fulfill gender, race, and class agendas at a political, social, economic, and intellectual level. This suggests that all mediators must take a reflexive stance to ensure that their own cultural biases do not intrude on the mediation process, and they should take care to evaluate the efficacy of mediation from a broader social, political, and cultural perspective, as well as from the perspective of the participants.

B. Mediation and Domestic Violence: Australian Research Findings

In 1995, the Commonwealth of Australia's Legal Aid and Family Services Department commissioned Keys Young to study of the issue of family violence and the practice of family mediation, which was completed in June 1996 (61). Twelve of the Commonwealth-funded family mediation agencies participated in the study, at least one in each state and territory, with a response rate of 47% for women and 26% for men. The survey indicated that the incidence of violence was high in the relationships presenting to the agencies at that time, with almost three-quarters of the women reporting they had experienced some type of violence or abuse. Client views of the process, or outcomes of the mediation were generally positive; however, men expressed higher levels of satisfaction than women, giving rise to concern.

Women who had experienced substantial abuse sometimes found that mediation represented a positive, empowering experience that could assist them in reaching a fair and reasonable agreement. A significant minority, however, reported not being asked by the agency about violence and abuse. A number of women disclosed domestic abuse for the first time, but their needs for information and referral were not necessarily met. The degree of harassment, intimidation, and threats of physical violence reported by women as occurring before, during, and after mediation suggested that mediators needed to be more aware of ways that men use mediation to continue the abuse and intimidation of their expartners. In a few cases, mediators may have misjudged the appropriateness of a case for mediation, especially if there were issues of child access (now renamed *visitation*) and custody (now *residence*). As an outcome of the study ongoing domestic violence training programs are now compulsory for all family and child mediators in all agencies funded by the Commonwealth Government to mediate separation and divorce disputes, and particular attention is paid to the feedback from women involved in the Keys Young study.

The Keys Young research indicated that abused women generally experienced less premediation anxiety, a more positive experience of the mediation process, and a higher level of satisfaction with agreements when they

- had been subject to emotional abuse or one-off physical threats or threats only
- had been separated from their expartners for a considerable time
- had received personal counseling (as opposed to *relationship* counseling)
- reported that they no longer felt intimidated by their expartner
- felt confident in their legal advice, and knew what they could reasonably expect from settlement (62)

and when mediators

- asked specific questions about violence and abuse, including nonphysical types
- offered women specific guidance in considering the possible influence of violence and abuse on the mediation process
- offered women separate time with the mediator before, during, and after sessions
- worked as a gender-balanced comediation team
- demonstrated that they understood the women's concerns both within and outside the mediation session by implementing specific strategies to deal with these concerns
- demonstrated they could control abusive behavior within the session
- assisted women to deal with any harassment and intimidation which occurred outside the actual mediation sessions itself (62).

C. Regulations and Standards for Family and Child Mediators in Family Law Contexts

Under the Australian Family Law Regulations introduced in 1996, family and child mediators are now required to assess each family law case referred for mediation, to ensure mediation is appropriate, considering: family violence, the safety of the parties, the equality of bargaining power, the risk of child abuse, the emotional, psychological, and physical health of the parties, and any other matter the mediator considers relevant to the proposed mediation (63).

Family mediation is not normally favored as an approach when domestic violence has been an ongoing factor of the relationship, but is sometimes chosen under selected and carefully controlled conditions. Although approaches to pre-mediation or intake may vary, family and child mediators in Australia must now comply with Regulations 62 and 63 of the Family Law Act, 1975 (as amended by the Family Law Reform Act, 1996) and screen for domestic violence. The Family Services Council's Family Mediation Standards, developed in 1995 for organizations funded by the Commonwealth Attorney General's Department, outlined the following as requirements for mediators when screening and assessing clients' suitability for mediation in family law cases (64):

> Suitability for mediation shall be determined by the mediator, initially in separate contact with each party, which includes ascertaining any history of family violence and assessing: the likely safety of parties; equality of power; the risk of child abuse; and the emotional, physical, and psychological health of parties. Where there is a separate intake officer, it shall remain the responsibility of the mediator to ensure that mediation is suited to the needs of the parties. Mediation shall not begin if either party lacks sufficient competence and willingness to collect and provide necessary information; identify their

own needs and interests; identify and take into account the needs and interests of their children; or to negotiate for themselves.

It is presumed that mediation will normally not be suitable in cases where there is a substantial imbalance of power; a history or risk of violence in the parties' relationship; a history or risk of child abuse; a fear in one party of the other party's control or potential for violence; and other limiting factors such as mental disability or illness, or substance abuse. Mediation can only proceed when it is assessed by the mediator that mediation is appropriate as prescribed under Regulation 62, and that all family members are safe and all parties to the mediation can participate effectively.

In any family law mediation in Australia there is generally an insistence on the use of separate lawyers to represent and advise parties in association with mediation, so that people know their legal rights and their options if they want to give up mediation at any stage. Charlesworth (65) notes that this is consistent with the legal perspective of justice, . . . "that is justice as being consistent with legal rights, or what the law would allow." The social perspective of justice, which also influences family mediation is Australia, is "the sense of being treated fairly, being fully heard and given equal importance and dignity as the other parties and provided with a result not too far away from one's deserts." When domestic violence has been a factor in the relationship between the parties, mediators have a special responsibility to ensure that they experience the process and the outcomes as just and fair.

D. Factors to Consider in Screening and Assessment

Mediators cannot be "neutral" about violence, nor should violence be an issue to be mediated. It is illegal and contributes to a gross imbalance of negotiating power between the perpetrator and the victims, and occasionally may threaten the safety of the victim, the mediator, and agency staff. When screening for violence; parties need to be seen separately and a number of factors need to be considered:

1. Types of Violence

In assessing whether to proceed with mediation when there has been domestic violence, there is a strong case for all forms of violence to be considered as unacceptable, not just those acts involving physical assaults and injuries. Female victims in various domestic violence studies confirm the prevalence of physical, psychological, emotional, social, and financial abuse (often in combination), as well as other intimidating or controlling forms of abuse, such as stalking, sleep deprivation, or driving too fast in the car (66). In our South Australian study, women talked frequently about the need for nonphysical forms of domestic violence to be more widely understood in the community.

2. Shame, Blame, and Secrecy

Of significance for mediators is that the women in our South Australian study said that they needed to be asked specifically and directly about violence and abuse in their relationship. They reported being too ashamed to tell people about the violence, often feeling that it was in some way their fault. This means that when mediating disputes between couples during separation and divorce, mediators first of all need to establish trust, reinforce confidentiality, be sensitive to small cues, and ask direct questions of each participant in separate interviews; for example, when you were together: How did you argue? Was there any pushing or shoving? Was there any emotional harassment or verbal "put downs"? Who controlled the money? Did you have separate interests and friends? Are you fearful of your partner? If a participant discloses incidents if violence, mediators need to be clear about how they are going to deal with the information so that the potential for further violence is not increased and must also have the necessary skills and knowledge to make appropriate referrals.

3. Protection and Empowerment: A Double-Edged Sword

Mediators should bear in mind the unintended consequence of the tendency for some models of mediation to focus on individual interests and needs, rather than the social context. The requirement for mediators to be neutral or impartial in their role as facilitators, may lead to compromises that may imply that the survivors of domestic violence are blameworthy and need to change in some way. Feminist scholars have challenged research methodologies, theories, and discourses in the field of victimology that have focused on the individual and, thereby, implied that victims contribute to the violence against them (67). Since the late 1950s, some researchers in the victimology field have ignored or distorted gendered analyses of violence and have attempted to identify different types of victims or to explain how victims have precipitated violence against them. The implication being that victims need to change or are in some way responsible for, contribute to, or collude with the violence. The effect of this approach is to ignore those responsible for the violence and to leave the violence unchallenged (68). Others have also challenged the language of victimology, preferring to use language that describes the structures that limit women's access to power and resources (69).

The word *victim* suggests that women are "passive, inadequate, and blameworthy" in relation to the violence against them (70); and the word *survivor*, therefore, is often preferred. Protectionist arguments for excluding *all* cases of domestic violence from mediation, without giving the women survivors an informed choice, may be challenged on these premises. For some women this may be their first opportunity to assert their needs in the presence of the person who has previously perpetrated violence against them. It may also provide an opportunity for the perpetrator to acknowledge responsibility for the violence and to seek

appropriate forms of help. Kelly (71), a prominent feminist scholar, stresses the importance of understanding how women categorize their own experience. Women experiencing domestic violence may not see themselves as oppressed or may see themselves as having gained confidence or appropriate methods for handling violent situations and, therefore, may wish to proceed with mediation. Denying women individual agency and choice can further add to their oppression.

When women have left the abusive relationship and the perpetrator has accepted responsibility for the violence, mediation may offer some women a welcome opportunity to negotiate for themselves, significantly increasing their self-esteem and sense of empowerment. It may also provide an opportunity for perpetrators to confront the consequences of their behavior, to acknowledge their shame, and to establish new rules for future relationships with their expartner and their children. Thus, some mediators in Australia may proceed with mediation when violence has been identified, but only if the conditions identified by the Keys Young research are in place and the safety of all parties is assured.

However, if the perpetrator is not acknowledging or accepting responsibility for his violent behavior, or if the woman is fearful, or her ability to negotiate a fair outcome for herself is likely to be compromised, litigation may be preferred to mediation. If mediation proceeds under these circumstances the involvement of an advocate or support person for the victim is preferred, along with options such as comediation and "shuttle" mediation. However, much more research is needed to be sure that mediation is a satisfactory process and leads to satisfactory short-and long-term outcomes in these cases.

E. The Best Interests of Children: An Objective Standard?

Children living in situations of domestic violence first became a direct focus of research and intervention in the 1980s in the United States (72). However, until recently, and in spite of the recognition that both child abuse and domestic violence are entrenched and pervasive forms of violence in society, there has tended to be a separation of domestic violence and child protection issues in Australia. Child abuse has been considered a health and welfare issue and domestic violence as a matter for police, courts, women's refuges, and other women's support services (73). There is now increasing recognition that these are not separate phenomena.

The "best interests" of the child is the paramount guiding principle in all decision-making in family law in Australia and, therefore, is a guiding principle in mediation in this context. In South Australia, and some other states, there is also mandatory reporting when there are suspicions of child abuse. Hence, litigation may be seen as a preferred option when there are allegations of domestic violence in families in which there are children. However, recent research (74) has identified problems for this client group within the litigation process in the

Family Court of Australia. In June 1996, the Family Law Reform Act (1995) was introduced in Australia, and it seems that the new concept of ongoing parental responsibility has "created greater scope for an abusive non-resident parent to harass or interfere in the life of the child's primary caregiver by challenging her decisions and choices . . . ." (75), leading to a greater demand for specific issues orders. This research suggests that children's welfare is being compromised in the way that allegations of violence are now dealt with at an interim stage of court hearings. The best interests of the nonresident parent (usually the father) are taking precedence over the best interests of the child, which the Family Law Act specifies should be paramount in all decision-making. The notion of a child's "right" of contact with both parents now means that judges and legal practitioners are less inclined at the interim stage to ask for suspension of contact with a parent if there are allegations of domestic violence. At the *final judgment* stage of a contact hearing, however, at which the effect of the violence is scrutinized and evaluated in the form of a family report, orders made for "no contact" are the same as before the Reform Act was introduced, suggesting that a substantial number of children have been subjected to interim contact orders that may have been unsafe or had adverse psychological effects on the child. Residence orders giving parents equal time with their children have also been more prevalent when there is high level conflict between the parents, in spite of the strong objections of one parent, usually the mother. There has also been an increase in the number of contravention applications brought by nonresident parents (89% fathers) alleging breaches of contact orders, many without merit and "pursued as a way of harassing or challenging the resident parent, rather than representing a genuine grievance about missed contact . . ."(76). Interviews with parents by the researchers suggested that unsafe contact orders are being made by consent, either because mothers felt coerced by their lawyer who advised them that this was the "usual" approach of the court where there are allegations of violence at the interim stage, or they believed that the father would not agree to any other option, or they did not have the resources to fight.

The findings of the aforementioned research have been confirmed by the findings of other studies (77) and were confirmed by mothers in our South Australian study, who asserted that their abusive partners used the issue of child contact to continue their harassment after separation and divorce. Therefore, when family and child mediation is being conducted in the shadow of the law, and when the parties are being advised by separate lawyers, it is crucial that mediators recognize that so-called objective standards based on legal precedents (often used as a guide to decision-making about the best interests of children) should be subjected to close scrutiny, in particular if there are allegations of domestic violence. Where domestic violence is present, the best interests of children and their mothers may not be readily identified, named, or understood by some lawyers or judges and currently fathers rights may take precedence.

V. FACTORS INHIBITING DISCLOSURE OF VIOLENCE IN MEDIATION

For mediators to understand how to screen for domestic violence and to decide whether or not to proceed with mediation, they need to understand the experience of victims of domestic violence when they do report their abusive experiences to service providers and the other factors contributing to their silence. There are many factors that make it difficult for women to leave abusive situations or to disclose to service providers the fact that domestic violence has occurred, including their feelings of shame, feelings of responsibility for causing the violence, fear of retaliation, and a systemic failure to define behavior as *violent* if it is not physical. When victims do disclose violence they are often implicated or blamed for causing it.

A. Perceptions of the Causes of Violence

In spite of research evidence to the contrary, there has remained a conceptual tendency for some professionals to misdirect the causes of violence toward women. Responses from judges, magistrates, service providers, and others in the Australian community have often misleadingly "redirected responsibility for the violent behaviour from the perpetrator to [other] factors" (78) such as alcohol abuse, stress, or the fact that women may have somehow "asked for it." Recently, a male Australian magistrate (79) stated in a survey that women cause their own victimization by "nagging," "bitching," or in other ways provoking their partner. These and other suggestions reported in the media deter women from disclosing violence by denying them individual agency, and serve to authorize and naturalize men's violent behavior (80).

B. Women as Nurturers and Caretakers

Dobash and Dobash (81) noted how patriarchal patterns determine women's predicaments once violence becomes part of the relationship.

> Women feel guilty and trapped in these relationships. Guilty because cultural prescriptions make family problems into women's problems regardless of the source. Trapped, because it is considered disloyal to betray patriarchal privacy by seeking help from outsiders and thus expose husbands and the family to potential scrutiny. Women are also trapped by the difficulties with living an independent life free from men. . . .

They also found that although female relatives and friends often provide support to victims, sometimes including material assistance, the women in their study also experienced dismissive responses and even the helpful responses were short-

lived. The responses of state agencies were less effective, with responses from the police and social services leaving women even more isolated and husbands in a stronger position.

In patriarchal, traditional communities and families, women are even more likely to define themselves in the context of relationships and, for this reason, find it difficult to leave their partner or report domestic violence to police or other service providers. Some researchers have demonstrated similarities in the situations of hostages and abused women:

> both groups are likely to develop the Stockholm Syndrome, a positive psycho-logical bond with their captors or abusers and an antipathy toward outsiders working to win their release (82).

Where women's identity is strongly linked to their male partner or to their family (in particular where they do not work outside the home or where they have strong religious affiliations), they may be more concerned with the ethic of responsibility and care than with their own well-being, or with avoiding shame or "protection of face" for their partner or the family, or they may blame them-selves for the violence (83). In many cultures, to a greater or lesser extent, women are strongly socialized to meet the needs of others. These women may find it especially difficult to assert their interests and needs within a context of responsi-bility for others, such as children.

C. Limited Resources and Ignorance of Entitlements

Women may also lack, or perceive themselves as lacking, as many real options as men, or they may not be aware of their entitlements (84). These problems are exacerbated if women are dependent on men economically. They may not be able to afford legal representation or litigation and may see mediation as a cheaper option. They may be willing to give away their rights to property to keep the children, or to keep the peace. When they do not have access to legal assistance, they may not be aware of their entitlements. There are grave implications for these women's ability to participate in mediation, during which they are expected to be competent to negotiate fair outcomes for themselves.

D. Stigma, Shame, and Fear

In 1998, the U. S. National Resource Center on Domestic Violence National Crime Victimization surveys identified various factors that inhibit women from reporting domestic violence, not only to police, but to researchers as well. These included "the private nature of the event, the perceived stigma associated with one's victimization, the belief that no purpose may be served in reporting it, and even fear of retaliation from the offender" (85). Experiences of fear, shame, and

stigma were also central to the experiences of the vast majority of the abused women in our South Australian domestic violence study.

E.   Gendered Definitions of Violence

Another study that used both quantitative and qualitative research methods, found that women and men subscribed to differing definitions of what constituted violent behavior. Men upgraded women's behavior when disclosing incidents of physical abuse. Men found women's violent behavior "notable" or "remarkable," but not seriously threatening. On the other hand, women "discounted," "underestimated", "down-played" or "normalized" the violent behavior of their male partners by seeing it as "excusable" or "understandable" (86). Women with violent partners also often assumed responsibility for a violent incident, blamed themselves for causing it, and worried that their partner's reaction to the incident could contribute to further violence (87).

  Australian studies (88) have identified neutralization techniques used by battered women to justify their continued involvement with their violent spouse. These included denial by women of the assaulter's responsibility, denial of the extent of injury, self-blame for the situation, denial of the possibility of leaving because of economic dependency, and appeal to a moral commitment toward the partner and their children. All of these factors militate against women reporting abuse or seeking help from public services.

VI.   EXPERIENCES OF WOMEN FROM DIVERSE CULTURAL BACKGROUNDS

It is important to look at legislation and institutions, such as community-based mediation agencies and family courts, to understand how they implicitly exclude people because of cultural differences, or why they are accessible only if people give up their particular culture in some way. However, there is also a danger in discussing a particular group or community that diversity within groups will not be recognized, nor differences respected. Women from indigenous and ethnic communities have individual needs and do not always belong to homogeneous groups or communities. What is useful in one community or group may be inappropriate in another. Given this, there is substantial evidence to indicate that there may be major cultural differences in attitudes toward, and responses to, domestic violence in indigenous and ethnic communities in Australia that need to be understood by family mediators. The history and context of these women's individual experiences of domestic violence may pose constraints on their ability to disclose these experiences to mediators and other service providers.

In Australia, there have been calls for a greater range of approaches to support the diversity of women's needs when they are in domestically violent situations (89). Perpetrators and survivors of violence come from every culture and from all walks of life. Australia is a multicultural society, made up of people from differing cultural backgrounds and from ethnically diverse communities. Our South Australian research report on domestic violence covered the special needs of men, women, and children from diverse backgrounds, including non-English speaking, gay and lesbian, those from rural and remote areas, and indigenous communities (90).

A. Women in Rural Situations

For women experiencing domestic violence in rural areas there are important structural and cultural issues to be considered. Confidentiality and privacy issues are far more important in rural areas where communities are small and news travels quickly through informal networks. People from outside the community are often viewed with suspicion. Geographical isolation, increasing poverty, the ease of access to weapons, such as guns, insufficient police numbers, a lack of culturally appropriate services, and community norms make rural victims of domestic violence particularly vulnerable. Many women in rural areas, whether wealthy or poor, are aware that reporting domestic violence will bring shame to their children and extended family. It is not uncommon for those who do report the violence to people outside the family to be criticized by their families and the community, thereby becoming increasingly isolated.

B. Elderly Women and Women with Disability

Elderly women and women with intellectual, psychiatric, sensory, or physical disability face double discrimination on the grounds of gender and age, or gender and disability, and triple victimization when all three factors are present. Women with disability are among the poorest group of people in society, with few resources to escape violence. They may experience institutionalized violence in that they are denied basic rights, such as control of their finances and control over their sexuality, and are often forced to live in dependent-living situations (91). In a 1993 study the Commonwealth's Office for the Status of Women found that the forms of violence these women experience are "the most horrific" (92), with disability accentuating feelings and experiences of vulnerability and helplessness. These women are more likely to be socially isolated or in closed employment and to be reliant on carers, who are often men. When the carer is the abuser the woman is often trapped with no means of escape, either because they are physically disabled or because they are disbelieved, especially if they have an intellectual or psychiatric disability. The study also found that the capacity of

these women to access support services is limited by the inappropriateness of many services and the lack of facilities.

C.   Women in Same-Sex Relationships

There are challenges to gender-based domestic violence theory presented in the emerging literature on same-sex violence (93). Merrill (94) identified a high degree of resistance to accepting the frequency and severity of same-sex domestic violence, noting that the dominant theories are "heterosexist" and ignore the experience of battered lesbians and of gay men. The body of research on same-sex domestic violence is limited, but several studies in the United States have identified that physical violence in gay and lesbian domestic relationships probably has similar dynamics to, and the same incidence rate as, heterosexual domestic violence (95). This may indicate that domestic violence is not a gender issue, but is a power and control issue.

> A certain number of people, given the opportunity to get away with abusing their partners, will do so because they hunger for control over some part of their lives, lives over which they feel they have no control. Sexism creates the opportunity for heterosexual men to abuse their partners, and homophobia, a tool of sexism, creates the opportunity for gays and lesbians to abuse their partners (96).

Opportunities for "blackmail" and threats of "outing" often isolate gay and lesbian victims. They have little hope of asking for help because of a real or perceived lack of civil rights protection and a lack of appropriate services in the community. Research has indicated that battered lesbians have not sought help from hotlines, shelters or other agencies, as they perceived these services to be only for abused heterosexual women (97). Recent Australian research on lesbian violence has demonstrated that many service providers are homophobic or cannot comprehend the concept of violence between women (98). Studies have found that most of the victims experienced some combination of physical, psychological, emotional, economic, and sexual violence, which was also confirmed by our South Australian research. Threats of outing are commonly used as a specific form of violence in lesbian relationships.

Our South Australian study found that children of women who experience domestic violence have a particularly difficult time when their mother separates, in particular when their chief carer has been the other partner. They have problems in discussing the violence with others when the nature of their mother's relationship is secret and often have restricted access to extended family if they have disapproved of their mother's choice of partner. Renzetti's (99) study of services for battered lesbians identified homophobia among funding bodies, organizations, and individual service providers as being "rampant," and suggests that what is

needed are explicit policies for addressing homophobia; written and spoken language that is not "heterosexist;" materials that are gender-neutral and inclusive of lesbian and gay relationships; programming, advertizing, community education, and media campaigns specifically on lesbian abuse.

D. Indigenous Women

There is considerable evidence that indigenous women in Australia are much more likely to be victims of domestic violence (which they prefer to label as *family violence*) than nonindigenous women and to sustain more serious injuries. Atkinson (100) in referring to the Royal Commission Into Aboriginal Deaths In Custody reports that in some areas in Australia the rate of family violence involving Aboriginal women is 45 times higher than non-Aboriginal women. Aboriginal women are more likely to be killed as a result of family violence: their rate of homicide victimization is ten times the figure for all Australian women (101). Family violence may not just involve the spouse, but a larger group of relatives. Bolger (102) states that Aboriginal women are more likely to be attacked with a weapon than non-Aboriginal women and many of the women are not alone at the time of the assault. However, the literature consistently states there is considerable under reporting of the rates of violence in indigenous communities.

There are complex reasons why women from indigenous communities do not report domestic violence in Australia (103). The role of police and other government employees in the history of intervention in indigenous families, and the racist attitudes and behavior of many police officers and welfare officers, is well documented and reflected strongly in the writings of Aboriginal women about violence (104). Women from indigenous communities and traditional ethnic communities may also have feelings of shame, or concerns about racism, which are likely to influence their willingness to discuss issues of violence against them with women from outside their communities. There may also be strong pressure from within the extended family or community to "put up with" the violence so as not to shame the family or the community, or to deal with the problem with or without the support of family or friends (105). Research suggests that Aboriginal women are seeking culturally appropriate programs that focus on family and community healing while still acknowledging the need for responses that guarantee the safety of women and children (106).

E. Women from Non–English-Speaking Backgrounds (NESB)

The Australian Law Reform Commission's (ALRC) Project on Multiculturalism and the Law (107) identified many factors that contribute to the difficulties experienced by women from migrant backgrounds in accessing services, which are

broadly classified as *psychosocial or cultural* factors and *social access factors*. Psychosocial or cultural factors are related to a person's cultural conditioning and the consequent values, expectations, and beliefs about what is acceptable that influence the way the person thinks and feels about the law and related social services. For women in traditional Vietnamese culture, for example, it is seen as shameful to seek outside help, or even let other people know you are having family problems. Women may fear that if they consult a Vietnamese worker their problems will become known to the whole community and the family name will be damaged. The concept of professional help is foreign; in addition, there are language barriers that lead to feelings of embarrassment or frustration. Non-Vietnamese workers may be avoided because they do not understand the cultural context, experiences, or difficulties faced by Vietnamese people. Using interpreters may be seen to compromise confidentiality, or lead to inaccurate translations, or may not be financially viable. Many people feel privileged to be living in Australia and do not want to complain or show they are having difficulties lest they appear ungrateful or are labeled as a problem community. Others may reprimand those victims who do speak out.

The ALRC found that to expose family problems in a public forum such as a court, in front of strangers would be unthinkable and intimidating for many Vietnamese women—particularly women who may have had little or no contact with public systems or administrative or legal procedures. The eventual breakdown of a marriage may be delayed for a long period, during which there is a lot of suffering and, in some cases, extensive domestic violence—many women just want it to be over without pursuing their rights in relation to property, maintenance, or other settlements (108).

The ALRC also found that refugees may associate police and other authority figures with persecutory experiences in their country of origin and in refugee camps where they were powerless and without rights: these feelings may extend to mediators. Women may fear a family breakdown or going to a refuge and losing the support they have. The woman is often blamed for failure in a marriage, with the risk of possibly losing her children. Remarriage is also strongly discouraged by many religions and cultures, and separation or divorce can bring dishonor to the family.

The findings reported by the ALRC were confirmed by our South Australian study (109) and were true for migrant women from many different cultural backgrounds. There were multiple factors constraining women from migrant and refugee groups from disclosing domestic violence, and they had restricted access to justice when they separated or divorced their violent partners. Our research found that, in general, the risk of domestic violence occurring increased with migration and the capacity of people from migrant groups to disclose domestic violence or to access services can be hampered by several factors, including a lack of information or knowledge about social services; language and associated barriers; fear

of deportation and persecution at home if on temporary visas or are sponsored brides; fear of police and bureaucrats from prior experiences; age (elderly people being particularly vulnerable); different religious and cultural values, beliefs, and norms; and social isolation or fear of isolation from family or community.

VII. CONCLUSIONS

Feminist perspectives not only inform how we think about the causes and contexts of domestic violence, but also raise important questions about dominant cultural and political discourses that are reflected in legislation, policy, and the nature of conventional research and practice in this area (110). Poststructuralist feminists stress that there is no such thing as neutrality in research or in service provision, such as in the practice of mediation, since we can never function independently of the dominant ideologies, belief systems, or discourses, which in most societies tend to be patriarchal and heterosexist. Ideology and knowledge are determined and shaped by the dominant groups in any society and, in Australia, are reflected in dominant discourses (including legislation) that tend to be white, heterosexist, Western, male, and middle-class (111). The values and perspectives underpinning research, policies, and practices, therefore, need to be made explicit.

In a male-dominated society where men's lives, values and attitudes are taken as the norm, Bograd notes that: "the experiences of women are often defined as inferior, distorted, or are rendered invisible" (112). Therefore, in designing any approach to intervention involving women survivors of domestic violence, it is important to:

1. Endeavor to understand the experiences of women from their own frame of reference
2. Avoid explicitly or implicitly blaming women for, or implicating women in, violent behavior toward them
3. Approach women as survivors who have many adaptive capacities and strengths
4. Validate the experiences of the women

Interventions involving victims of domestic violence, such as mediation, should take place in a collaborative environment (113) where women understand the purpose of the intervention, the history and nature of the violence is known by the professionals involved, and where women will feel safe and free to discuss issues of violence without fear of judgment, stigma, or recrimination from their partner or their families. They must be assured of safety, respect, confidentiality, and understanding. From a feminist perspective, collaborative models of practice are characterized by shared power between the victims (usually women) and the professionals involved, and openness to what develops from being "inside the

culture" of the person being interviewed (114). Data must be collected in pre-mediation interviews in a culturally sensitive way that surfaces domestic violence, but with the explicitly stated purpose of improving the lives of survivors of such violence, to avoid objectifying the women's experiences (115), and to avoid the risk of further violence. If done properly, women may be provided with an opportunity in a carefully structured mediation to confront and change their circumstances. Preferably, these women should be provided with an opportunity to make an informed choice about whether or not mediation is appropriate and, if it is not, referrals should be made to relevant services.

Data collection and its interpretation are inherently political activities (116). In ascertaining the experiences and needs of survivors of abuse, research should be conducted in such a way that ensures that cultural differences between people are acknowledged and respected, and untested cultural and gender stereotypes are not implied. When screening for violence before mediation the same principles should apply, and questions should be carefully framed. For example, instead of asking why a woman does not disclose the violence or call the police (which could subtlely blame the woman for her failure to protect herself), it is better to seek out the social factors that constrain the woman from disclosing violence and seeking assistance.

It has been argued that disclosing violence is not easy for many women for different reasons, in particular, for women from indigenous, refugee, and other culturally diverse backgrounds. It may be even harder for the small minority of male victims, as it goes against dominant discourses about masculinity for a male to be a "victim," in particular, at the hands of a woman. More research is needed to understand the experience of these men.

Because of the increased risk of violence against women occurring during separation and divorce, and the difficulties that these women experience in disclosing violence, it is essential that family and child mediators see individual participants separately before mediation and actively screen for violence to determine whether or not these women are competent and safe to proceed with mediation. In any approach to survivors of domestic violence professionals should do as follows:

1. Be primarily concerned for the safety and protection of the victims (usually women and their children) before, during and after the mediation
2. Respect and accept individual difference and diversity within and between cultural groups
3. Maintain confidentiality within clearly prescribed limits
4. Demonstrate empathy
5. Involve women as equal partners or collaborators in processes for change

6. Emphasize voluntary participation based on informed consent
7. Make a commitment to honesty and open sharing of knowledge and information
8. Maintain a focus on strengths and empowerment of the women in decision-making.

Mediation may be appropriate for some survivors of domestic violence, and it can be an empowering experience for them if the conditions outlined in this paper are present. In some circumstances, it may also assist some perpetrators to confront the consequences of their violent behavior and to change the way that they relate to their families and children. However, to ensure that their interventions are appropriate, mediators should strive to be self-reflexive, constantly checking for their own gendered cultural biases and prejudices in relation to violence against women, both individually and collectively. This will require ongoing education and training and ongoing supervision.

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   - Physical abuse
   - Of all women callers, 86% reported physical abuse. Physical abuse took various forms including direct assaults on the body resulting in severe injuries requiring significant medical intervention. Weapons were used in a number of cases and, in others, there was the threat that weapons could be used. Reports of physical abuse also included a wide range of intimidating behaviors other than hitting such as: driving dangerously in the car, smoking in the house when the woman has a serious respiratory condition, the destruction of property, abuse of pets in front of family members, physical assault on the children, locking the victim out of the house on cold nights without any clothing, and sleep deprivation.
   - Sexual abuse
   - The experience of sexual abuse was reported by 50% of the callers. Sexual abuse ranged across a continuum from sexual pressure to coercion, comments about women's unattractiveness, being forced to take part in various degrading and pornographic sexual acts and penetrative rape. Sexual relations were often considered to be the women's "duty" and were viewed as part of an exchange in the relationship; for example, sex for some women was the "price" for "keeping the peace." If women resisted they were often accused of having sex with other people. The most extreme cases of sexual abuse involved women being beaten unconscious then raped by their partners and their friends while being videotaped—the tape then shown by their partners to their friends.
   - Verbal abuse
   - A total of 89% of callers experienced frequent verbal abuse, often described as the most pervasive and damaging form of abuse in the long term. Verbal attacks on women focused on their intelligence, sexuality, body image, and competence as a parent and a wife. Women were commonly referred to as "stupid," "sluts," "whores," "fat," "ugly," and "lousy mothers." Women were often compared unfavorably to other women. Mothers were often blamed for their children's behavior, which was considered to be the result of poor and inadequate mothering. The themes of the verbal assaults fell within the well-defined social constructions of femininity.
   - Emotional abuse
   - Emotional abuse was reported by 84% of all callers. Emotional abuse involved attribution of blame and guilt to women for problems in the relationship; constant comparisons with other women, which impacted on victims' self-esteem and self-worth; and/or emotional withdrawal, such as long periods of silence which could continue for weeks; sporadic sulking and withdrawal of any interest and engagement with the partner.
   - Social abuse
   - Social abuse was reported by 67% of callers. Frequently reported forms of social abuse included the systematic isolation of women from family and friends. Techniques included ongoing rudeness to family and friends that gradually resulted

in their withdrawal. Alternatively, women discontinued contact with family or friends because this contact triggered abuse from the perpetrator. Other means by which women were socially isolated included being moved to new towns or to the country where they knew nobody and were not allowed to go out and meet people. In some cases women were physically prevented from leaving the home and were virtually kept prisoners. Other forms of abuse included control of transport, control of keys, and stalking.

- Economic abuse
- Economic deprivation was reported by most women. This included complete control of all money by perpetrators, no access to bank accounts, inadequate allowances given to women, and if the woman worked, her wages were used for all household expenses, whereas his wages were used completely for himself. In many instances the perpetrator controlled all access to food, with food being locked in cupboards and, in some instances, women and children going hungry.

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4

Experiential Learning

Culture and Conflict

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> As individuals and as groups, human beings are not well equipped to deal
> with important differences among themselves or others, and they often engage
> in behaviors that make the situation worse (1, p.167).

I.   INTRODUCTION

The composition of the civilian workforce is changing for the better. Peoples of
color and women represent a growing proportion of employees and, to a lesser
extent, managers in public and private organizations. Projections based on statis-
tics from the U.S. Bureau of Labor indicate that diversification of the workforce
will continue as the composition of the nation's population continues to change
(2,3). The potential for interpersonal conflict in the workplace grows as the com-
position of the workforce changes precisely because employees lack experience
with, and an understanding of, multicultural differences. The premise of this
chapter is that efforts to foster multicultural awareness, tolerance, and understand-
ing in attempts to reduce interpersonal conflict should begin before individuals
enter the workforce. The responsibility for these efforts should not fall solely on
managers and human resource departments in the workplace.

There are initiatives at the primary and secondary education levels to pro-
mote a greater understanding of, and tolerance for, student diversity (4,5). Broad-
based conflict resolution endeavors are also being integrated into primary and
secondary education. However, it appears that higher education may be lagging

behind in this. Diversity and conflict management are frequently treated as special topical areas at colleges and universities. Courses on multiculturalism and conflict are often offered within specific disciplines such as business management, public administration, public relations, and international studies. Yet, these core knowledge areas and fundamental life skills are essential for the personal and professional development of all college students. As a result of this compartmentalization, many college students may enter a diverse workforce after graduation without the experience, knowledge, and values needed to build and maintain positive multicultural relations in the workplace.

The growth of experiential learning in higher education presents the opportunity to expose a broad base of college students to issues surrounding diversity and conflict. Experiential learning, particularly community-based experiential learning, can foster college students' multicultural awareness through interaction and reflection. At the most basic level, experiential learning challenges students to recognize cultural differences as legitimate and to consider how their own cultural identity frames their interpretations, perceptions, and feelings about the world. Ideally, experiential education is a transformation process that compels students to move from simply acknowledging and tolerating multicultural differences, to valuing those differences. Students transformed through experiential learning move away from isolated, ethnocentric worldviews toward worldviews that are inclusive and respectful of difference (6,7). In addition, because interpersonal conflict is as inevitable in experiential learning as it is in the workplace, experiential learning courses offer the opportunity for students to heighten their understanding of multicultural conflict and to develop effective conflict management skills.

II.   CULTURE AND INTERPERSONAL CONFLICT

A growing body of literature from international studies and communications forms much of our understanding of culture, and the link between culture and conflict. Research in this area is particularly difficult because both culture and conflict are socially constructed concepts. For example, the term "culture" is commonly used, yet its meaning grows more nebulous with time (8). Avrunch identifies a series of "inadequate ideas" or myths that frame discourse and research on culture. These myths include the following (8, pp.14–15):

Culture is homogeneous
Culture is a thing
Culture is uniformly distributed among members of [a particular] group
An individual possesses a single culture
Culture is custom

He argues that these ideas are "inadequate" because cultural "markers" such as nationality, religion, race or ethnicity have become obscured by the globalization of modern society. Thus cultural membership is no longer solely defined by group membership (8, 9). Cultural identity is instead contextual; it is a ". . . derivative of individual experience, something learned or created by individuals themselves or passed on to them socially by contemporaries or ancestors" (8, p.5). An individual's culture identity is, in part, a function of socialization from kinship networks (nuclear and extended families), social networks (social and professional organizations), institutional relationships (religious and educational institutions), as well as external experiences such as critical life events. Cultural identity is also a function of how individuals cognitively process external influences and experiences. For example, siblings may be subjected to the same socialization, yet have cognitively processed that socialization differently. As a result, they may construct very different images when asked to describe their individual cultural identities. Social context and cognitive processing also influence the importance of gender, race, and ethnicity in defining cultural identity (10).

Kimmel (10, p.456), building on the work of Hall (11) and Glenn (12), presents a similar theory of culture. He emphasizes social and environmental factors: ". . . what becomes your reality and common sense is selected from an array of alternatives in your social and physical environment," yet acknowledges that individuals develop a group identity or "common culture" that includes religion, language, customs, and traditions. A person's cultural identity is the product of his or her *subjective* (individual) and *common* (group) cultures. Both Avrunch and Kimmel agree that cultural identity is the unique lens through which individuals filter knowledge, experience, and action. It influences both verbal and nonverbal communication, the propensity to engage in conflict, conflict behaviors, and attitudes about conflict resolution (8, 12–14).

A.   Interpersonal Conflict

Conflict occurs when "two related parties find themselves divided by perceived incompatible interests or goals or in competition for scarce resources" (15, p.24). Culture is conflict-neutral—it becomes a source of conflict only when we politicize or create a hierarchy of cultures in which one is better or more valid than another, or when culturally based beliefs and values are perceived as incompatible (8).

This chapter focuses on interpersonal cultural conflict because it is the most common form of conflict in the workplace and the form of conflict most relevant to experiential learning. Interpersonal conflict has been widely studied, and several typologies have been developed to highlight its variation in source, nature, and intensity. Angelica describes three types of interpersonal conflict: relationship conflicts, identity conflicts, and interest conflicts.

> Relationship conflicts concern the way people view and treat one another. They are frequently based on miscommunication, repetitive negative behavior, stereotypes, or misperceptions. Identity conflicts occur when people sense that the very essence of who they are has been attacked, belittled, or ignored. Identity conflicts are often based on racial, ethnic, gender, or religious differences. Interest conflicts are about real or perceived incompatible needs or desires (13, pp.13–14).

All three forms of interpersonal conflict escalate rapidly if conflicting parties feel that their individual values, beliefs, and traditions are being attacked, or if the group with which they identify is perceived as being attacked. Cultural identity (cultural values, norms, and traditions) influences an individual's propensity to engage in interpersonal conflict, as well as expectations of satisfactory conflict resolution (12, 14, 16, 17). Culturally based perceptions of how well managers handle conflict are related to judgments about managers' competency and leadership, and culture may also affect perceptions of power relations in conflict situations (14, 18).

Miscommunication that results from different verbal and nonverbal communication styles is a precipitating factor in some interpersonal conflicts. Cultural differences in nonverbal communication behaviors, such as eye contact and touching, and language, such as dialect and linguistics, can stimulate or exacerbate conflict (9, 11, 19). There are also intercultural differences in the way communications are received and cognitively processed. For example, Hall differentiates between culturally based conversational styles. These styles include both "high-context" and "low-context" communications. In high-context communications ". . . most of the information is either in the physical context or internalized in the person, whereas very little is in the coded, explicit, transmitted part of the message" (11, p.91). In contrast, in low-context communications, most of the information is contained in the transmitted part of the message. Thus, nonverbal communication plays a much more important role in high-context communications than in low-context communications (13, 16). Failure to identify the importance of nonverbal communication, or failure to correctly interpret nonverbal messages, can lead to relationship, identity, and interest conflicts.

Message recipients who judge the content of a message and the messenger using ethnocentric values or stereotypes are likely to miss the importance of nonverbal communication in this context. Ethnocentrism leads to devaluing verbal and nonverbal communication styles that are different from one's own (9, 19). Stereotyping is, in part, a function of how we order society. It involves categorizing people according to specific traits. "One who stereotypes applies images of the group to all individuals assigned to that group. The stereotyper disregards, consciously or otherwise, any differences or distinctions that the individual may have that are different from those of a stereotyped group" (20, p.360–361). Cultural differences in communication styles can result in stereotyping. For example,

individuals who fail to make eye contact during a conversation may be categorized as shy or insecure by Western standards, when in fact, the behavior may be a norm that is related to respect or deference to authority in some non-Western cultures (9).

Cultural differences can be sources of conflict at both the intergroup and interorganizational levels, as well as the interpersonal level. Managing cultural conflicts at all levels may require structural change designed to create an organizational culture that embraces diversity; behavioral change that fosters multicultural awareness, tolerance, and understanding among employees; or both structural and behavioral change (15). Cultural differences in communication styles, values and beliefs affect interpersonal conflict in several ways. They influence a person's propensity to engage in conflict, the nature of conflict, and perception or satisfaction with conflict management or resolution strategies. Diversity training is designed to raise multicultural awareness and tolerance among employees by addressing these issues (21). Conflict management in the workplace is designed to mitigate interpersonal conflict among employees (18). An increasingly diverse workforce means that diversity training and conflict management in the workplace and in higher education must be ongoing and dynamic. Experiential learning is one approach to integrating multicultural issues and conflict management in education. The remainder of this chapter discusses how experiential learning can be used to foster students' awareness of cultural differences and the interpersonal conflicts that may be precipitated by those differences.

III. EXPERIENTIAL LEARNING, CULTURE, AND CONFLICT

Experiential learning encompasses a variety of pedagogical methods that purposefully engage students in active learning. The origins of experiential learning are traced to John Dewey's philosophy of education.

> At the heart of Dewey's educational philosophy are three principles: (a) education must lead to personal growth; (b) education must contribute to humane conditions; and (c) education must engage citizens in association with one another (22, p.179).

Dewey's philosophy contradicts conventional teaching methods that emphasize efficiency and learning outcomes and tend to deemphasize or fail to recognize the process of knowledge formation as a legitimate form of learning (23). Experiential learning rejects the notion of dependency between teacher and student—the teacher's role is to facilitate active learning not simply to transmit knowledge (23, 24). Kolb (25, p.38), building on the work of Dewey (26), Lewin (27), and Piaget (28), defines experiential learning as . . . *the process whereby knowledge is created through the transformation of experience* (original empha-

sis). He argues that the following aspects are critical to the experiential learning process:

> First, is the emphasis on the process of adaptation and learning as opposed to content and outcomes. Second, is that knowledge is a transformation process, being continuously created and recreated, not an independent entity to be acquired or transmitted. Third, learning transforms experience in both its objective and subjective forms. Finally, to understand learning, we must understand the nature of knowledge, and vice versa (25, p.38).

Kolb's experiential learning cycle emphasizes the importance of cognition and affect as agents in the learning process. The model consists of four dimensions: concrete experience, reflective observation, abstract conceptualization, and active experimentation. Learning is stimulated by new experiences. Reflection allows students to identify and organize their observations and feelings about those experiences, and to ". . . create concepts around that organization to better understand his or her world" (29, p.32). The creation of knowledge occurs when students compare cognitive and affective information from the new experience against existing knowledge of similar experiences. Students then make judgments on the new experience based on similarities or differences between new and existing information. Bolstered by a new understanding, students begin to actively experiment, which leads to additional experiences (25, 29). Cultural identity influences every stage of the learning cycle: it frames experience, filters reflection, defines abstract conceptualization, and guides experimentation.

A. Experiential Learning Methods

A variety of pedagogical methods present opportunities for experiential learning. These include case studies, simulations, role-play, internships, and service learning (including community-based service courses). In theory, two factors are common to these methods. First, they incorporate student reflection or critical analysis to facilitate learning (55), although the extent and type of reflection varies across method, course, and instructor. Second, these methods compel students to assume varying levels of responsibility in the learning process.

There are also fundamental differences among these methods (Figure 1). For example, case studies and simulations typically provide in-class, short-term, discrete learning experiences. In contrast, internships and service learning occur outside the classroom and are relatively long-term and continuous. Perhaps most important from a pedagogical perspective, experiential leaning methods vary in terms of learning objectives and the level of student engagement in the learning process. Learning through service is not an objective of experiential learning exercises such as case studies, role-play, or simulations, nor do these methods require sustained emotional and cognitive investment by students. Service is,

Learning Method	Learning Objectives	Level of Student Engagement	Primary Learning Environment	Reflection
Simulations/Role Play/Case Studies	⇒ Acquisition and application of knowledge and skills in specific content areas	⇒ Discrete assignments ⇒ Limited engagement	⇒ Classroom	⇒ Yes
Internships/Practicums	⇒ Acquisition and application of knowledge and skills in specific content areas ⇒ Professional development through service	⇒ Continuous interaction ⇒ High level of engagement	⇒ Sponsoring organization	⇒ Yes
Service Learning	⇒ Acquisition and application of knowledge and skills in specific content areas ⇒ Professional development through service ⇒ Increased civic and social responsibility	⇒ Continuous interaction ⇒ High level of engagement	⇒ Classroom and organization or community service partner	⇒ Yes

Figure 1   Comparison of experiential learning methods.

however, an explicit objective of internships, practicums, and service learning courses. Students, as part of their internship or practicum, provide a service to their sponsoring agency. Ideally, an internship or practicum facilitates the integration of professional development, academics, and service (29, 30). This is also true for service learning courses. However, service learning consolidates service and academic learning in a single course. Students spend part of their time in the classroom learning concepts and problem-solving skills in a specific knowledge area. They then spend an equal or greater amount of time in an agency or community setting, applying their newly acquired knowledge and skills to a specific problem or service project.

> [T]he service and the learning are reciprocally related; the service experiences inform and transform the academic learning, and the academic learning informs and transforms the service experiences (23, p.21–22).

Perhaps the central feature that distinguishes service learning from other forms of experiential learning is the emphasis service learning places on fostering civic awareness and social responsibility. Increasing students' civic awareness is an explicit learning objective in service learning courses (31, 32). Whereas internships and practicums may transform students into more engaged and responsible citizens, students completing a service learning course should have a heightened appreciation for civic duty and social responsibility. The following course description exemplifies the integration of academic and service learning objectives in a community-based service learning course (Figure 2). Students are introduced to the service learning concept, the academic course content, and the service project. Distinct academic and service learning objectives are specified for the course.

Course Description

This is a service learning course in community development. Service learning integrates community service and academic learning by providing in-class instruction and the opportunity to apply community development theory and methods in a real world project. Students will come to understand community development theory and practice through class readings, lectures, discussions and assignments. They will apply that academic learning as they engage in a community development project that involves partnering with seniors from a local central city high school to complete a needs assessment of youth-centered services for the high school's service area. Students will work with the seniors to learn about the history of their community, identify and catalog existing services, identify unmet needs for youth-centered services and complete an action plan to address those unmet needs.

Academic and Service Learning Objectives

This course includes corresponding academic and service learning objectives. These objectives are listed below:

    Academic Objectives: At the end of this course students will
- know asset-based community development theory and practice;
- know and be able to conduct the needs assessment process;
- know more about analyzing and presenting qualitative data; and
- know the challenges presented by the unique and dynamic nature of communities.

    Service Learning Objectives: Through the process of service learning, students will
- improve their ability to successfully collaborate with others;
- expand their critical thinking and problem-solving skills;
- gain a greater understanding of and appreciation for cultural differences; and
- explore their personal values and beliefs regarding civic responsibility and social justice through active learning and reflection.

Figure 2 Service learning example.

Academic objectives apply to course content, which, in this example, is community development. In contrast, service learning objectives relate to professional and personal values, such as civic duty, multicultural awareness, and social justice.

Service learning requires the highest level of student engagement and commitment, especially when students work in the community on a relatively long-term basis. Community-based service learning often involves collaboration with people from different cultural, racial, and ethnic backgrounds. Thus, service learning in urban environments or in diverse environments holds the greatest potential for increasing students' multicultural awareness and understanding of the conflicts that can arise from cultural differences. This exposure is, in itself, valuable. Although most universities have a relatively diverse student body, there is no guarantee that individual students experience that diversity. In fact, Eyler and Giles (33, p.26) suggest that "[w]e may underestimate how compartmentalized life on campus can be and how informal segregation limits student interaction."

There is also a growing spatial, economic, and social segregation between suburban and urban populations. As a result, suburban students may rarely interact with their urban counterparts and vice versa (34). I recently asked students enrolled in an introductory urban affairs class how often they visited the central city in our metropolitan area. (The central city is approximately 15–20 min away from our suburban campus.) Slightly less than two-thirds of the students in the class indicated that they had been to the central city two or fewer times during the past year. Almost one-quarter of the students said that they had never been to the central city. The majority of students enrolled in the class reside in suburban and rural areas surrounding the campus. This example may be extreme; however, it does seem to support the notion that students have relatively little opportunity, or fail to take the opportunity, to interact with different cultural groups on and off campus. Service learning may provide university students ". . . the first opportunity they have to work alongside someone quite different from themselves. These experiences may contribute to . . . reducing stereotypes and increasing tolerance and appreciation of other cultures" (31, p.26).

B. Reflecting on Cultural Differences

Reflection, itself a process, is vital to experiential learning. Two aspects of reflection are particularly important. The first is the depth of reflective thought. Reflection ranges from simple observation to critical analysis. *Simple reflection* entails ". . . reviewing attendant thoughts, feelings, and actions without questioning one's interpretation or meaning of the experience" (35). *Critical reflection* requires "deliberate, analytical attention to one's own actions in relation to intentions" (36, p.182). This involves analyzing the context of the experience, including the role that cultural identity plays in framing an understanding of, and feelings about,

the experience. Analyzing the context of the experience, in turn, provides an opportunity to develop alternative ways of understanding, acting, and knowing in the future (35–37).

Timing is the second salient aspect of reflection. Reflection, as set forth in Kolb's model (25) is retrospective or "reflection on action" that occurs after the experience. Schon (38), among others, presents an argument for reflection during the experience. This "reflection in action" ranges from a conscious attempt to gather information during an experience (simple reflection) to critical reflection that is designed to collect and synthesize observations, and think about how that new knowledge can be applied in the future.

Reflection—simple and critical, "in action" and "on action"—makes experiential learning an ideal pedagogy for increasing student awareness of, and appreciation for, issues of culture and interpersonal conflict. Simple and critical reflection entails assessment and delayed judgment. Delayed judgment provides the opportunity to avoid conflict, and assessment may result in the deescalation of interpersonal conflicts that do occur. Critical reflection can also serve to moderate both cognitive and emotional responses during a conflict episode and increase opportunities for alternative conflict behavior (35).

C. Learning to Reflect

The reflection process and a pedagogy that promotes reflection as a legitimate component of the learning cycle are foreign to many college students. Conventional-teaching techniques, such as lecture-based instruction, rarely reward or foster reflection and, in fact, seem to discourage it (23). As a result, many students require both instruction in reflection and explicit permission to engage in the reflection process. In preparation for experiential learning, students also need to understand that reflection is the key to learning because it links academic theory and knowledge to experience and action. Experience without reflection may or may not lead to learning.

> Although gaining familiarity with educational concepts from the classroom and participation in the service project may take place within the same general time frame, the connections spontaneously made by students between the two are likely to be haphazard and incomplete (33, p 8).

This also holds for learning about cultural difference and conflict. Simply reading or discussing multicultural issues or experiencing different cultures does not guarantee that learning will occur. Reflection, specifically critical reflection, provides the context needed for learning by requiring that students think about how their own cultural identities color their perceptions and interpretations of their multicultural experiences. In addition, "reflection on action," or retrospective reflection, can nurture "reflection in action." Students who receive guidance in retrospective

reflection are better able to use those same cognitive processes to reflect on experiences as they occur (35).

There are a variety of writing techniques designed to facilitate reflection (39). Writing, whether it is a fluid reflection journal or a discrete reflection paper, is particularly useful because the purposefulness of writing about an experience forces students to cognitively process experiences in a way they may not if they were simply providing a verbal description. Writing also ". . . helps to make challenging experiences less overwhelming, fosters problem solving, and facilitates the exploration of the relationships between past learning, current experiences and future learning" (22). A frequently used "reflection on action" method is the reflection journal in which entries are used to describe and analyze students' interactions and experiences. Descriptions should include observations about antecedent events, feelings, actors, the environment, and the nature of the interaction or experience. Entries should also specifically address the relation between experience and the academic theories and knowledge presented in readings, lectures, and discussions.

The critical incident journal, a specific kind of reflection journal, is particularly beneficial for gaining an understanding of how cultural differences influence interpersonal relations, including interpersonal conflict. A critical incident journal requires students to identify particular events or incidents that result in a change in their self-perception or changes in their perceptions of others. Students are asked to detail the incident, analyze their role (including their actions and reactions), and the roles of others involved in the incident, explain their understanding of what transpired, and discuss how the incident changed their awareness and perceptions (37). Although specifically discussed in the service-learning context, critical incident journals can be useful in the analysis of interpersonal relations in a variety of experiential learning contexts. Critical incident journals can also help students reflect on interpersonal conflicts through documentation and analysis. Students can begin to understand the nature of the conflict (is it a relationship, identity, or interest conflict?), examine how they approached the conflict and determine how their and others' cultural beliefs, values, and communication styles affect how the conflict is framed, exacerbated, or resolved (35).

Oral reflection on action techniques include structured group discussions and group presentations. Discourse as a form of critical reflection can be particularly useful in fostering multicultural awareness if the student group is diverse and if the group consciously explores the multicultural dimensions of experiences. However, honest discourse about culturally based beliefs, values, and traditions may result in relationship and identity conflicts. Instructors must prepare students by communicating that conflict is to be expected and, to some degree, welcomed as an agent of change. Students should understand that managed conflict has potential for positive outcomes, such as personal growth and increased creativity,

as well as negative outcomes such as feelings of defeat, exclusion, and distrust (15).

The instructor is responsible for creating and maintaining a safe environment that promotes honest discourse. Creating a safe environment for group reflection on action discussions involves several factors. First, students must have some level of understanding of cultural differences and the miscommunication that can result from those differences. Second, students must agree on a set of ground rules that frame the discussion process. Finally, students should have a basic understanding of communication skills such as active listening, affirmation, and reframing issues. These skills are essential to promote critical discourse and to manage conflict that may result from those discussions (10, 13).

The previous discussion alluded to the notion that heightened self-awareness is both a precursor to and product of critical reflection. Students must have some level of consciousness of their cultural identity and the factors that shape their individual cultural identities before they can critically reflect on new experiences. Critical reflection, in turn, results in heightened self-awareness because it requires students to carefully assess how their beliefs and values affect their actions, perceptions, and relationships.

Students vary along a continuum of self-awareness. Few may be consciously aware of their cultural identities (subjective and common cultures) or how different contexts and experiences define their identities (36). Experiential learning methods such as role-play, simulations, and case studies can help in increasing self-awareness when two conditions are met. First, these methods must explicitly include heightened self-awareness as an objective of the exercise. Second, some form of student reflection (written or oral) is required (36). A variety of self-assessment tools (standardized psychometric inventories, surveys, and exercises) are also available to help students increase their awareness of individual personality traits, values, beliefs, and communication styles (e.g., see, Refs. 10, 21, 40, among others). Information gleaned from these instruments help students elevate their self-awareness (20, 21).

IV. CONCLUSION

> Diversity is an asset that brings to the process varied resources, talents, knowledge and skills. Yet, an appreciation for, and understanding of diversity does not necessarily happen by chance. Working within a diverse context requires deliberate attention to cultural differences and commonalties, as well as to the links among power, privilege, prejudice and oppression (41, p.38).

Our cultural identity affects what we know, how we know it, and how we interact with others. Ignorance of cultural differences in values, beliefs, and

communication styles often sets the stage for interpersonal conflict because we tend to fear or devalue difference. Experiential learning strategies enhance students' opportunities to experience not only different cultures, but also to understand cultural differences. Academic and professional programs that prepare students to enter an increasingly diverse workforce and society have an ethical responsibility to integrate multiculturalism into their missions and curricula.

The extent of that integration is the focal point of a burgeoning debate in higher education. Some academics (both scholars and administrators) argue that supplementing existing conventional curricula with courses that provide an opportunity to learn about different cultures is enough. Yet, research suggests that simply increasing opportunities for students to learn or connect with students from different cultures does not necessarily heighten multicultural awareness, nor does it provide students an understanding of the relation between cultural differences and interpersonal conflict. A separate faction of academics, known as mainstream multiculturalists, contends that the academy has an ethical responsibility to increase students' tolerance for other cultures. Mainstream multiculturalists tend to support efforts, such as experiential learning, that are consciously designed to increase students' multicultural awareness through experience and reflection. Critical multiculturalists represent the third faction in the debate. They call for dramatic reforms in the education process and in educational institutions (6).

> Instead of a college or university simply modifying its curriculum to include African American voices in a few of its courses or encouraging its majority students to be more tolerant . . . the institution would go a step further and seek to reframe the organizational structure and culture by including diverse worldviews (6, p.41).

Critical multiculturalists emphasize the need to institutionalize experiential learning, especially transformative community-based service learning, into the academy's mission as part of an overall transformation of higher education (6, 42). Rapid changes in the composition of society suggest that offering a course on diversity as a supplement or limiting access to diversity courses to students in specific majors or disciplines is not enough. Higher education must accept the responsibility for increasing multicultural awareness among all students. A growing body of literature supports the role of experiential learning for this. For students the benefits of experiential learning include improved communication, problem solving, and critical thinking skills. From a conflict management perspective, experiential learning has the potential to provide a broader benefit. Cultural differences contribute to conflict. Experiential learning allows students not only to experience different cultures, but also through reflection to understand and learn to value cultural differences. The result may well be a decrease in interpersonal conflicts that are grounded in multicultural differences.

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DISCUSSION QUESTIONS: PART I

1. Is it possible to strike a balance in the conflict management education of school-aged youth between the longer-term, awareness-raising, "peacebuilding" focus and the shorter-term, mitigating, "peacekeeping" focus? If so, how? If not, why not?
2. If only one approach can be effectively implemented, should educators of school-aged youth place primary emphasis on the "peacemaking" or "peacebuilding" approach to conflict management education? Why?
3. What are the implicit educational tools and techniques that can be employed to facilitate conflict management?
4. What are the explicit educational tools and techniques that can be employed to facilitate conflict management?
5. Do you agree with Riegel's (1979) theoretical premise that life is comprised of constant instability and conflicts that cannot be avoided? Why or why not?
6. Is it realistic to perceive conflict as a necessary and meaningful step toward progressive change? Why or why not?
7. What is the nature of the specialized expertise required of the mediator in cases of domestic violence against women? Why is such specialized knowledge required in these cases?
8. To what extent and in what ways would widespread implementation of experiential learning in higher education mitigate the potential for interpersonal conflicts in the workplace?
9. Should conflict management education be institutionalized as part of the academic curriculum for all school-aged youth? For all college students? Why or why not?

10. To what extent and in what ways does one's worldview affect one's approach to conflict management?
11. To what extent and in what ways can conflict management education promote equitable and egalitarian organizations or societies?
12. To what extent and in what ways do you facilitate educating others about successfully managing conflict?

PART II   Power, Diversity, and Role Conflicts: Toward Resolving Tensions

INTRODUCTION

Part II of this volume focuses on the causes of conflict and ways to address them within organizational and policy settings. A consistent issue throughout the following chapters is that the structure of organizations and policy boards predispose individuals to varying degrees of conflict. The works presented in this section observe that conflict can be addressed either through a conscious effort on the part of organizational actors or in the absence of purposeful action. In terms of the former, decision makers must be committed to managing differences on a continuous basis to preserve cooperation in achieving the organizational mission. As far as the latter is concerned, cooperation among policy makers occurs by default, even if roles are misunderstood, as long as actors have a shared understanding of institutional practices.

Given the range of outcomes, the readings in Part II highlight the following points about conflict in organizational and policy situations. First, structural differentiation, coupled with perceptual differences among actors, exacerbates conflict. Second, managing conflict requires the commitment of upper-level management to convey to the rest of the organization that the initiative is credible and genuine. Finally, cooperation is more a by-product, rather than a conscious goal when deference to professional expertise by elected officials is the accepted institutional norm.

Chapter 5 begins this section by offering an overview of conflict management in organizations and the different strategies available to resolve conflict. The authors advocate a system design that stresses a proactive facilitation and, in some cases, a mediation, problem-solving approach that focuses on addressing perceived needs of parties exhibiting differences. In particular, the authors advocate stakeholders' participation in the diagnosis of the tensions and having them prescribe strategies to address the conflict. The authors offer suggestions for

shifting the focus in organizations from a system dominated by arbitration, to a framework reliant on stakeholders resolving differences and disputes.

Chapter 6 offers an illustration of the some of the issues offered in Chapter 5 by examining how functional specialization in the fire service leads to conflict. The analysis looks at line and staff relations in a large fire organization. The author shows that although line and staff personnel exhibit similarities on organizational goals and practices, the compartmentalization and decentralization of the fire organizations leads to perceptual differences between the two groups, creating a psychological distancing between them in terms of organizational mission and purpose. The chapter calls for an emphasis on strategic planning to build an on-going dialogue between line and staff personnel that transcends the existing bureaucracy.

Chapter 7 addresses an emerging issue in organizations—workplace bullying. Unlike sexual harassment, for example, workplace bullying involves the adverse treatment of individuals at work by more than one person, regardless of position, power, or influence. The chapter discusses the attributes of workplace bullying and then offers organizational strategies to prevent and mitigate bullying in the workplace.

Chapter 8 provides an analysis of conflict and cooperation among political and administrative personnel within the context of local education governance. Through empirical evidence, the chapter documents significant encroachment by superintendents into the policy and mission roles of their boards and similar encroachment by board members into the administrative domain of the superintendent. Despite these actions, cooperation was the prevailing norm. This chapter shows that conflict can be minimized, even when faced with potentially conflicting role behaviors, through processes of mutual adjustment.

5

Dispute System Design in Organizations

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I. INTRODUCTION

The field of conflict management has a long and well-established history, but its application in dispute system design is relatively recent. This chapter reviews the theory and practice of dispute system design in organizations. It traces the history of this research path, highlights its major findings, and establishes a context for understanding integrated conflict management systems as a best practice in dispute system design. To this end, the chapter first defines dispute system design and briefly reviews the emerging literature. Second, it identifies the component processes of dispute system design, including power-based, rights-based, and interest-based approaches, providing examples of each. Finally, it introduces the idea of integrated conflict management systems. It explores the work of dispute resolution practitioners and professionals in defining best practices for such systems, and provides examples of integrated conflict management systems in different organizations.

II. DISPUTE SYSTEM DESIGN

Dispute system design is a phrase coined by Professors Ury, Brett, and Goldberg (1988) to reflect an organization's effort to identify and improve the way it manages conflict. This relatively recent concept represents an exciting and dramatic step in conflict management research. Most research in conflict management has

been process-oriented, focusing on the methods, costs, and benefits of different alternative dispute resolution (ADR) procedures. In this respect, research in the field has largely been conducted at the microlevel. However, emerging research is focusing on a more macrolevel examination of conflict management in organizations. Instead of examining dispute resolution *processes*, researchers have begun to look at dispute resolution *systems*: the complete composition, arrangement, and structure of dispute resolution processes in organizations. The examination of dispute resolution processes as part of a more complete system has led to the concept of dispute system *design*—the conscious, purposeful, and deliberate planning of conflict management systems within an organization.

The notion of dispute system design arose from research on grievance mediation in the unionized coal industry during the 1980s, a period when wildcat strikes and consequent disruption in production plagued the industry (Ury et al., 1988). Grievance mediation is an ADR process in which labor and management use mediation before binding grievance arbitration (Feuille, 1992, 1999; Feuille and Kolb, 1994). In the coal mining experiment, Ury mediated disputes shortly after they arose, rather than wait for the eve of an arbitration hearing (Goldberg, 1982). Researchers found several positive effects of grievance mediation in the industry, including high settlement rates, a decline in the rate of wildcat strikes, and high participant satisfaction with the experiment (Goldberg and Brett, 1983).

These findings suggested that mediation was a better process than strikes as a means of dispute resolution, and led the researchers to conjecture about how organizations could more effectively manage conflict. Researchers identified three basic approaches to resolving conflict: power, rights, and interests (Ury, et al., 1988). *Power* represents the ability to impose on others decisions about the outcomes of disputes and can be exercised at the individual, group, or organizational levels. In the context of this chapter, examples of power-based approaches to organizational dispute resolution include strikes, lockouts, plant closings, subcontracting, or work relocation, and reductions in force. *Rights* are fixed rules or principles based on statutes, case law, contracts, and collective-bargaining agreements. Rights-based approaches to dispute resolution help determine whether legal or contractual rights have been violated. Examples of rights-based approaches to organizational dispute resolution include adjudication of statutory rights by administrative agencies or courts, binding or nonbinding arbitration, and early neutral evaluation. *Interests* are the needs, concerns, and desires of individuals or groups. Interest-based approaches use problem-solving techniques to address the perceived needs of the disputing parties. Examples of interest-based approaches to organizational dispute resolution include principled negotiation, facilitation, and mediation.

In the context of the coal-mining experiment, grievance mediation, an interest-based approach, was more effective than wildcat strikes, a power-based approach. This prompted the researchers to posit that an organization could improve

its conflict management capacity by shifting its dispute resolution system, over time, from one dominated by power and rights-based approaches to one dominated by interest-based approaches (Ury, et al., 1988; Fisher et al., 1991). The theory was that using interest-based approaches would result in cost-effective, satisfying, longer-term, and more sustainable solutions to ongoing or recurring problems, particularly when those problems occurred within the context of a continuing relationship—such as those in an employment setting. From this emerged the idea of dispute system design, the notion that organizations could deliberately and purposefully select dispute resolution approaches and processes for more effective conflict management.

Since this early work, practitioners in the field have conducted considerable research on dispute system design. One stream of this research identified the elements of a good dispute system design, including early use of interest-based approaches (i.e., when the dispute first arises); using steps in a procedure that move from lower-to higher-cost methods of conflict resolution; frequent loop-backs to negotiation (such as those provided by mediation, early neutral evaluation, or even nonbinding arbitration); consultation before and feedback after using a process; top level support and marketing of the program (including provision of motivation, skills and resources to use the new processes); and low-cost rights-based alternatives if interest-based approaches to resolving conflict fail (see e.g., Costantino and Merchant, 1996; Goldberg et al. 1988; Ury et al., 1988).

Another stream of practitioner research focused on the wide variety of forms that conflict can take in an organization and how to implement effective dispute systems. In this tradition, Slaikeu and Hasson (1998) concentrate closely on the subsystems necessary for effective and efficient implementation. These subsystems include an organizational conflict management policy; definitions of roles for all the parties and players in the system; documentation in employee manuals; selection of inside and outside neutrals, such as mediators and arbitrators; training and education for all employees and managers in the new system; support mechanisms, such as formal and informal coaching for disputants; and evaluation initiatives that provide feedback for improvements in the performance of the system.

Measurement and evaluation initiatives are particularly important concepts; however, they are often overlooked during the dispute system design process. Measurement involves collecting data and information, whereas evaluation involves using that measurement information to improve the program. Measurement and evaluation are essential to monitor and improve both individual programs and the dispute system as a whole. Moreover, externally conducted evaluation efforts (i.e., those conducted by experts outside of the organization) afford perhaps the best opportunities for improvement in the programs and system; therefore, they may have the greatest return value to the host organization.

A third stream of practitioner research has firmly grounded the notion of dispute system design in the field of organizational development. Costantino and Merchant (1996) adapted and expanded Ury et al.'s (1988) notion of assessing the conflict management system of an organization, and identified four stages of dispute system design: diagnosis, design, implementation, and exit and evaluation. Costantino and Merchant (1996) advocate involving the organization's stakeholders in the diagnostic stage of this process and having them assist in identifying the sources and types of conflict, the processes currently used, and the resources available to support the existing system. They also suggest that stakeholders should actively participate in moving the system toward an interest-based model.

A unifying theme in this practitioner research is the idea of movement toward an interest-based model of dispute resolution. Costantino and Merchant (1996) further developed this idea with an evolutionary view of dispute systems in organizations, when certain dispute resolution processes accompany each phase of evolution. This evolutionary framework is useful in both theory and practice. First, it helps shape the theory of dispute system design and lays a foundation for understanding the rationale of integrated conflict management systems. Second, it provides a simple and practical structure for identifying the approaches and component processes used in dispute systems, and can be particularly helpful in the task of diagnosis and dispute system design. For these reasons, the chapter uses this framework to identify the component processes of various dispute systems and to launch the discussion of integrated conflict management systems as a best practice in dispute system design.

III. COMPONENT PROCESSES OF DISPUTE SYSTEMS

Costantino and Merchant (1996) suggest that the evolution of dispute systems in organizations generally proceeds through phases, in which each phase has various component dispute resolution processes. Building on the conflict management approaches identified by Ury and colleagues (1988), Costantino and Merchant (1996) distinguish four quadrants of dispute system design that roughly correspond to the following:

1. The use of power-based approaches, such as strikes
2. The use of rights-based approaches, where rights and entitlements are derived from legislative frameworks
3. The use of interest-based approaches within a rights-based design, such as mandatory ADR programs
4. The use of stakeholder approaches within an interest-based design

In this evolutionary perspective, organizations move through phases, build on prior experience, and begin to incorporate various ADR processes into the

designs of their dispute system. In theory, experience and evolution will lead organizations through the phases of dispute system design, and shift conflict management systems from those dominated by power and rights-based approaches to those dominated by interest-based approaches, until the interest-based dispute system uses stakeholder approaches to dispute resolution. However, this final phase of dispute system design evolution has not yet become the most common form of dispute system design in organizations. Rather, most organizations tend to use rights-or interest-based approaches with some, but perhaps not all, of their component dispute resolution processes.

Before proceeding through the discussion of various dispute system components, it is important that the reader be aware of some caveats. First, Costantino and Merchant (1996) come from an organizational development perspective. As such, they focus on the organization as an open, evolving system, and examine how the parts of the conflict management system interrelate with the whole of that system. For this reason, they caution against taking a linear view of the disputing chain in organizations and suggest that continuous evaluation and feedback will produce an understanding that the organization will evolve as it gains experience with interest-based systems.

Second, the phases of dispute system design have porous and traversable boundaries. Thus, an organizational dispute system may be in only one phase. For example, it may have a singular focus on rights-based approaches, as defined by the collective-bargaining agreement. Conversely, an organizational dispute system may span multiple phases. For example, it may simultaneously include rights-based and interest-based options for disputing parties. This is the case in the United States Postal Service in which employees have the option of proceeding through rights-based Equal Employment Opportunity (EEO) procedures or using interest-based mediation to resolve conflicts. Finally, an organizational dispute system can move between phases. For example, an organization may experiment with an interest-based ADR program, find it to be inappropriately designed or implemented, discontinue the program, and revert back to its long-standing rights-based approaches.

Third, this evolutionary perspective fails to fully capture the intricacies of dispute system design. In reality, organizational dispute system design efforts are far more complex and have very complicated rationales. Efforts are guided by numerous incentives, blocked by multiple obstacles, and will seldom follow the discrete and simplistic path presented in the evolutionary model. However, an organization's decision to use a single-focus approach or to use multiple approaches in a dispute system does hold some clues about the organization, its level of functioning, and its stage of development. Given these caveats, we use the evolutionary perspective to briefly examine the various components of dispute system design, categorized by whether they are power-based, rights-based, or interest-based approaches.

A.   Power-Based Approaches

As noted, power involves one party's attempt to impose an outcome on the other party. Although very complex in their etiology, power-based approaches can be thought of as a battle-of-wills, with an included element of coercion. Power can be exercised at an individual level; for example, by a supervisor over an employee (or vice versa), or it can be exercised by large groups within an organization; for example, by unions and management. Examples of these latter power-based approaches include strikes and lockouts, corporate campaigns, and in-plant strategies. Employees and employers, respectively, engage in strikes and lockouts, which result in deliberate and generally prolonged work stoppages. Well-known examples of strikes and lock–outs can be found in the steel, air traffic control, and sporting industries. Employees initiate corporate campaigns, which use such tactics as financial pressure from investors and creditors, negative publicity, and union-initiated regulatory investigations (Feuille, 1995). In the late 1970s, the Amalgamated Clothing and Textile Workers Union successfully used this tactic in a corporate campaign to organize various plants in the J. P. Stevens textile company (Feuille, 1995). In-plant strategies emerged in the 1980s as a conglomeration of methods with which to disrupt normal operations within an organization. Tactics used can include refusal to volunteer or work overtime, group confrontations with a supervisor, filing grievances, filing charges that require investigations, or any other behavior that has a negative effect on organizational climate and the employer–employee relationship (Feuille, 1995).

In the public sector, use of these power-based approaches is limited for many reasons, most of which evolve from the civil service system of employment. However, some might argue that the disproportionate filing of grievances or EEO complaints represents an exercise of power by employees. For example, in the early 1990s, United States Postal Service employees filed over 25,000 EEO complaints, and some individual employees filed more than 60 complaints in a single year. In the private sector, evidence suggests that use of power-based approaches, such as strikes and lockouts, are declining (Feuille, 1995). One possible reason for the decline is the threat of permanent replacements, made real in a 1981 decision by President Regan to permanently replace 11,300 striking air traffic controllers (Feuille, 1995). Another possible reason for the decline of power-based approaches might also be the evolution and spread of dispute systems in organizations; however, this possibility has received little research attention.

B.   Rights-Based Approaches

Rights-based approaches use dispute resolution processes designed to determine whether legal or contractual rights have been violated. In rights-based approaches, a disputant must file a formal declaration of the complaint, for example, a written

grievance or a legal notice, based on a claim of rights arising from policy, a collective agreement, or a statute. Disputing parties then follow procedural rules, which culminate in a decision rendered by a third party. Today, rights-based approaches can be found in all unionized organizations, most government agencies, and most medium and large-sized nonunionized organizations. The most common rights-based approaches to dispute resolution include grievance procedures and arbitration. Early neutral evaluation is another rights-based approach discussed later in the chapter; however, it is often a process used in transition to interest-based approaches.

1. Grievance Procedures

The grievance procedure has received significant attention from scholars and practitioners as a critical component of the labor–management relationship. There are substantial variations in the scope of the grievance procedure from contract to contract and across the public and private sectors. Grievances generally allege some breach, violation, misinterpretation, or misapplication of language in the collective-bargaining agreement, often related to wages and hours, discharge and discipline, safety and health, insurance benefits, seniority, leaves of absence, promotions, vacations, management rights, and union rights (for a thorough discussion of causes for grievances, see BNA Editorial Staff, 2000; Richardson, 1985; Mesch and Shamayeva, 1996). Although there are significant variants, grievance procedures generally move through a series of steps before increasingly higher management authorities, beginning with informal discussion and the writing of a complaint, and ending with arbitration. The overwhelming majority of grievance procedures culminate in binding arbitration, for which an outside neutral third-party issues a final decision on the grievance.

2. Arbitration

Arbitration has a long history as an alternative means for resolving labor and commercial disputes in the United States and around the world (Elkouri and Elkouri, 1985; Nolan-Haley, 1992; Murray et al., 1996). In general, arbitration is a quasi-adjudicative process in which parties present evidence and arguments to a third-party neutral decision-maker or private judge. All arbitration is rights-based, as it involves a third-party decision based on objective criteria about legal or contractual rights. However, arbitration can concern two different categories of issues, commonly termed interests and rights. In this alternative usage, *interest* arbitration is generally prospective and concerns the creation of a contractual relationship between the parties, as in baseball salary arbitration. *Rights* arbitration is generally retrospective and determines obligations under an existing contract that one party claims the other violated. Arbitration can be advisory (leaving the

parties free to reject the award) or binding (subject to very limited judicial review) (Bingham, 1997; 1998).

For over a century, parties have successfully used labor arbitration in collective bargaining to resolve disputes. However, in response to a perception of increased risk from employment and consumer litigation, organizations have recently turned to binding arbitration to manage a wide variety of conflicts. This trend has accelerated since the U. S. Supreme Court signaled its willingness to enforce adhesive arbitration clauses in recent cases (Gilmer v. Interstate/Johnson Lane Corp., 111 S. Ct. 1647 [1991]; Circuit City Stores, Inc. v. Saint Clair Adams, 532 U. S. 105 [2001]). The salient difference between labor arbitration and these new uses of binding arbitration in consumer, commercial, and health care disputes concerns the power to negotiate over the design of the dispute system (see e.g., Bales, 1995). More powerful economic parties impose arbitration plans on employees and consumers unilaterally without negotiation (Bingham, 1998).

Professional organizations with a stake in the field of ADR identified abuses of this power (Bickner et al., 1997) and came together to develop voluntary guidelines for self-regulation (or protocols) for best practices in designing employment, consumer, and health care arbitration systems (Dunlop and Zack, 1997; American Arbitration Association, 2001). The Due Process Protocol for Mediation and Arbitration of Statutory Disputes Arising out of the Employment Relationship, or simply, the Due Process Protocol, is most relevant to the purposes of this chapter.

The best practices in employment arbitration dispute system design, as identified by the Due Process Protocol, include freedom to select a representative in arbitration, adequate but limited prehearing discovery, background information on the arbitrator (e.g., references from the arbitrator's most recent six cases), an arbitrator trained in the relevant law, a duty for the arbitrator to disclose any relationship that might reasonably constitute or be perceived as a conflict of interest, an arbitration award that sets forth a summary of the issues (including the type of dispute and damages or other relief requested or awarded and a statement of the issues and the statutory claims made), and joint selection and shared compensation of the arbitrator. On this last point, there is some concern that the organization ought to bear most of the costs of arbitration, lest the forum become economically unavailable to the employee or consumer. On the other hand, there are competing concerns that shared compensation of the arbitrator is necessary for a balanced system.

The authors of the Due Process Protocol were unable to reach consensus on whether to approve adhesive arbitration clauses (clauses through which the more powerful economic party imposes arbitration on the less powerful as a condition of entering into or continuing the relationship). Legally, these clauses are treated as evidence of consent, and are enforced over the objections of employees who prefer to go to court (Stone, 1999; Zack, 1999). However, consent to

arbitration as a condition of the relationship is not the same as the subjective experience of voluntary arbitration. For this reason, the Equal Employment Opportunity Commission (EEOC) policy guidelines on binding arbitration of employment disputes involving claims of discrimination reject the use of "mandatory" or adhesive arbitration as a condition of employment (Vargyas, 1997).

It is more common to find an adhesive binding arbitration plan in the private sector than in the public sector (U. S. General Accounting Office, 1995; 1997; Bingham and Wise, 1996). This may be a function of public sector concerns over delegation of decision-making authority to an unelected and private third party, and statutory constraints requiring that ADR be voluntary (Bingham, 1997). One example of a private sector dispute system design including binding arbitration is that of Brown & Root (Bedman, 1995; Zinsser, 1996). This program provides a multistep process beginning with interest-based approaches, such as mediation, and concluding with binding arbitration. It is generally considered as well designed and fair in that it complies with the provisions of the Due Process Protocol. In addition, it provides employees with a representation benefit by giving them a reasonable amount of money with which to hire a lawyer to represent them in arbitration. Almost all cases processed through this program settle at the earlier mediation step, without recourse to arbitration. Brown & Root, now called Halliburton, has more recently included an Ombuds function in its dispute resolution system. This function was added as a result of internal feedback and external review, supporting ideas about the evolution and development of dispute systems from feedback and evaluation.

3.   Early Neutral Evaluation or Assessment

Early neutral evaluation (ENE) is a quasi-adjudicatory process in which the third-party neutral hears informal evidence and argument from the parties and then advises them about the strengths and weaknesses of their case. The neutral may also advise the parties about the likely outcome of the case if they proceed through litigation or arbitration. This process supplies the parties with more information about their best alternative to a negotiated agreement (BATNA), as defined by Fisher, et al. (1991), and provides a loop back to negotiation, as recommended by Ury, et al. (1988). In theory, the parties can more effectively engage in settlement negotiation with the additional information. Thus, although early neutral evaluation is a rights-based approach, it is often viewed as a transitional process to interest-based dispute resolution.

C.   Interest-Based Approaches

Interest-based approaches use problem-solving techniques to identify and address the concerns, needs, and desires of the disputing parties. Although interest-based

approaches can be used to address legal or contractual issues, they are more frequently initiated to address other workplace concerns, such as accommodation, unfair treatment, or interpersonal conflicts. Interest-based processes enable parties to resolve their own disputes, with or without the assistance of a third party. However, unlike rights-based approaches, in interest-based approaches the third party has no power to impose an outcome on the parties; rather, the parties retain control of the ultimate result.

Mary Parker Follett identified the role of interests in dispute resolution in the 1920s. She formulated the idea of integrative solutions to conflict, those solutions that accommodate the real demands of the parties by recognizing that what is essential to one party might be unimportant to the other party (Graham, 1995). The idea of integrative solutions was introduced to the study of labor negotiations in the 1960s (Walton and McKersie, 1991), and eventually evolved into the concept of integrative bargaining. Integrative bargaining is used when there are multiple issues to be negotiated, and seeks to exploit all opportunities and potential solutions to maximize the outcome for all parties involved (Raiffa, 1982). Today, integrative bargaining is often referred to as "win–win" negotiation (Thompson, 2001; Fisher, et al., 1991). Integrative bargaining was a precursor to interest-based approaches in dispute resolution. Today, the most common interest-based approach to dispute resolution is mediation.

1.   Mediation

In mediation, a third party with neither decision-making authority nor the power to impose a settlement assists the parties in reaching a voluntary, mutually agreeable resolution to all or some of the disputed issues. Mediation is one of the oldest forms of conflict resolution (Moore, 1996; Wall and Lynn, 1993; Wall, et al., 2001); however, its modern roots in the United States are found in labor-management grievances (Dunlop and Zack, 1997).

Proponents of mediation argue it leads to faster resolutions and higher participant satisfaction, with lower costs, greater flexibility and creativity in settlements, and the potential to preserve or enhance relationships, than traditional adjudicatory processes (see generally Carnevale and Pruitt, 1992; Wall and Lynn, 1993; Bingham and Chachere, 1999). In terms of settlements, research suggests that mediation increases settlement opportunities because it allows more room to consider participants' underlying needs, concerns, and interests (Fisher, et al., 1991). Other authors have examined mediation in relation to perceptions of procedural justice. Procedural justice, a commonly used framework in ADR research, suggests that participant satisfaction with an ADR process is a function of opportunities to control and participate in the process, present views, and receive fair treatment from the mediator, in addition to the outcome of the dispute. Research suggests that mediation enhances participant perceptions of procedural

justice because it gives them greater control of the process and outcome and more opportunities for voice (Lind and Tyler, 1988).

The dominant approach to mediation is one of problem-solving (e.g., Moore, 1996), with "success" measured by the reaching of agreements (Carnevale and Pruitt, 1992). In this problem-solving framework, mediation can take on an evaluative, facilitative, or directive form. In evaluative mediation, the mediator gives the parties an expert opinion on the merits of the dispute (Waldman, 1998). In facilitative mediation, the mediator assists the parties identifying and merging their interests (Fisher, et al., 1991; Waldman, 1997, 1998). In directive mediation, the mediator diagnoses the problem and tries to persuade the parties to accept a reasonable solution (Bingham and Chachere, 1999).

Recently, a new model has emerged from the family and community mediation tradition and has been incorporated into a few organizational dispute systems. Transformative mediation stands in contrast problem-solving approaches in that its goals are empowerment and recognition, not settlement (Bush and Folger, 1994). Empowerment is achieved when parties "grow calmer, clearer, more confident, more organized, and more decisive—and thereby establish or regain a sense of strength and take control of their situation" (Bush and Folger, 1994, p.84). Recognition is achieved when parties "voluntarily choose to become more open, attentive, sympathetic, and responsive to the situation of the other party, thereby expanding their perspective to include and appreciation for another's situation" (Bush and Folger, 1994, p.89). Empowerment and recognition often result in an agreement; however, this is only a secondary effect. The theory is that experiencing empowerment and recognition improves each party's ability to approach and resolve both current and future problems. Its potential lies in its power to give people control over resolving their own conflict.

The United States Postal Service has effectively implemented an employment mediation program, REDRESS® based on the transformative model of mediation (Nabatchi and Bingham, 2001). Preliminary research indicates that mediation can have transformative effects at the workplace. For example, Anderson and Bingham (1997) show that the REDRESS® program contributed to improving supervisors' conflict management skills. Bingham (1997) found that the REDRESS® pilot program, which used facilitative mediation, provided a positive alternative to the traditional adversarial EEO complaint process, in that participants were highly satisfied with the process and mediators, and generally satisfied with the outcome. Moon and Bingham (2001) found that both employees and supervisors were satisfied with the national transformative mediation program, and Bingham and Novac (2001) found that the number of formal EEO complaint filings dropped significantly after implementation of this latter program. This research on the USPS also supports the procedural model of justice, and suggests that mediation, particularly transformative mediation, can have positive and lasting influences on organizational climate and culture.

D. Stakeholder-Based Approaches

In theory, experience with these dispute resolution approaches and processes will lead organizations through the phases of dispute system design, and help shift conflict management systems from those dominated by power and rights-based approaches to those dominated by interest-based approaches. In the view of Costantino and Merchant (1996), the apex of this evolutionary chain is the use of stakeholder approaches within an interest-based dispute system. These approaches use participatory processes to bring together stakeholders with different powers and positions to describe their key concerns, identify common interests, undertake joint problem-solving and decision-making, and secure firm commitments to the agreements reached. Moreover, they require the involvement of organizational stakeholders in all stages of dispute system design (Ury, et al., 1988; Costantino and Merchant, 1996). Stakeholders should identify the sources and types of conflict, the dispute resolution processes currently used, and the availability of resources to support the system. These approaches also facilitate the active participation of stakeholders in the implementation, day-to-day operation, and evaluation of the dispute system.

IV. INTEGRATED CONFLICT MANAGEMENT SYSTEMS

As practitioners in the field have grappled with transforming theory to practice by implementing the concepts of dispute system design in real organizations, a new idea has evolved: the notion of the *integrated conflict management system*. An integrated conflict management system is a coordinated network of conflict resolution options that is available to persons for resolving conflict in an organization. These systems are designed to be easily accessible so that all types of disputes can be addressed at the earliest time and most appropriate level. Moreover, integrated conflict management systems are designed to address disputes in the most appropriate manner; therefore, they include rights-based, interest-based, and stakeholder-based options. Finally, they focus on the causes of conflict and provide a systematic approach to preventing, managing, and resolving conflict in organizations (SPIDR Track I Report, 2001). The systems handle not only dispute resolution on a case-by-case basis, but also prevent and contain those "hidden" conflicts that have not yet surfaced as disputes. In this manner, they help facilitate a change in organizational culture, such that conflict is managed in a more effective, productive and competent manner.

This concept of integrated conflict management systems emerged from work in ombuds programs and the committees of ADR professional organizations. Thus, it is useful to explore these roots before more thoroughly discussing integrated conflict management systems as a best practice in dispute system design.

A. Ombuds Programs

A workplace ombuds is a third-party neutral operating inside an organization to assist the employees, stakeholders, or customers of the organization in resolving disputes through confidential, informal means. All ombuds are made available and paid for by the host institution; however, not all ombuds are on the host organization's payroll, some may be contracted through another organization. The ombuds serves as an information resource, channel of communications, complaint handler, and dispute resolver (Gadlin, 1991; Robbins and Deane, 1986). An ombuds office generally offers informal methods of conflict resolution, but also has the ability to help individuals gain access to other formal dispute resolution processes within the organization. In this way, the Ombuds serves an integration function and has the capacity to handle numerous and varied organizational disputes. Another advantage of an ombuds office is the flexibility to design it in a manner that best fits the organization (Kolb, 1987). These features of an ombuds office generally result in a more integrative and systemic approach to managing conflict in an organization.

By using qualitative interviews of key agency stakeholders, Meltzer (1998) found that a federal workplace ombuds office is likely to be most effective when the Equal Employment Opportunity (EEO) office has too many non-EEO complaints; the employee assistance plan is receiving workplace complaints outside of its mandate; personnel-related offices are not working together; employee morale is low; there is poor employee–management communication; significant workplace issues emerge and surprise management; there are poor labor–management relations; and, there are frequent employee claims of retaliation.

Ombuds programs have been developed in both the public and private sectors, and the growth of this form of ADR has resulted in a professional association and code of ethics for ombuds persons (The Ombudsman Association, 1997). Despite the numerous potential benefits of ombuds programs, there is the risk that employers may distort the ombuds title in unilaterally adopted nonunion arbitration programs. For example, one employer had its ombuds represent employees as their advocate in arbitration and select the arbitrator on behalf of both parties. This resulted in the repeated selection of the same arbitrator, who always ruled for management (Bingham, 1996). This structure, where the ombuds departs from a neutral role, gives at least the appearance of a conflict of interest.

Rowe (1981, 1990a, b, 1997) has long served as an organizational ombudsperson for the Massachusetts Institute of Technology and, over time, has developed a perspective on how the myriad of different complaint streams in a major university might be able to function in parallel and in coordination. She found that people wanted options and choices, and that these preferences were well matched with the university's policy of providing redundancy in resources and structures for people with problems. From her experience as an Ombuds, she

developed ideas about how to design an integrated conflict management system, beginning with the characteristics of the complainants and including stakeholder input. She asserts that an effective system requires (1) core values of fairness, voice, and freedom from reprisal for using the system; (2) many options for resolving conflict; (3) multiple access points; (4) an organizational ombudsperson outside of line and staff reporting structures; (5) wide scope; and (6) continuous improvement. Her work has stimulated interest in and among ombuds and other ADR practitioners, and has produced a set of champions for integrated conflict management systems that includes both practitioners and academics.

B.   Best Practices Reports

As theories about integrated conflict management systems emerged, practitioners in the conflict resolution field began to work on a set of best practices for integrated conflict management system design. These best practices are contained in two reports from committees of the Society for Professionals in Dispute Resolution (SPIDR), which has since merged into the Association for Conflict Resolution (ACR). One key difference between these best practices reports and the Due Process Protocol concerns the issue of voluntariness or consent. The authors of the best practices reports on integrated conflict management systems urge that all use of ADR processes be truly voluntary, and not imposed on an unwilling participant (SPIDR Track I Report, Sec. 4.4.2, 2001). Conversely, and as noted earlier, the Due Process Protocol does not take a position on mandatory ADR processes and, thus, by default, allows such procedures.

Some of the best practices for integrated conflict management system design include encouraging employees and managers to voice concerns and constructive dissent early, integrating collaborative problem-solving approaches into the culture of the organization, encouraging direct negotiation among the parties in a dispute, and aligning conflict management practices with each other and the mission, vision, and values of the organization (SPIDR Track I Report, Sec. 2.4, 2001). The work that emerged from the ombuds field and the SPIDR Track I report has identified five essential characteristics of integrated conflict management systems:

1.   Options for addressing all types of problems that are available to all people in the workplace, including employees, supervisors, professionals, and managers
2.   Creation of a culture that welcomes dissent and encourages resolution of conflict at the lowest level through direct negotiation
3.   Provision of multiple access points and persons that are easily identified as knowledgeable and trustworthy for approaching with advice about a conflict or the system

4. Multiple options for addressing conflicts, including rights-based and interest-based processes

5. Provision of a systemic structure that coordinates and supports the multiple access points and multiple options and integrates effective conflict management practices into daily organizational operations (SPIDR Track I Report, Sec. 3, 2001)

These characteristics help promote a workplace climate in which disputes are constructively addressed and resolved.

The idea of integrated conflict management systems appeals to organizations for many reasons. First, many dispute systems are heavily rights-based, or may be accessible only by employees covered under collective bargaining agreements. Moreover, even if employees have access to the system, they can enter a component process only if the disputes concern contract, policy, regulatory, or other legal violations. In contrast, integrated conflict management systems are accessible to everyone in the organization and offer rights, interest, and stakeholder-based processes. This variety of component processes enables the organization to address disputes beyond only those related to contracts, policy, or law, such as individual or group disputes involving interpersonal issues, environmental problems, or racial and ethnic tensions. In short, integrated conflict management systems are more inclusive of organizational personnel, can address a broader range of issues, and have greater ability to constructively resolve conflict and provide stability to the organization.

Second, most dispute systems are reactive in the sense that they address only conflicts that have been made "public." In other words, the systems respond only to disputes that have been formally expressed. Conversely, integrated conflict management systems are designed to be both reactive *and* preventative. Similar to other dispute systems, they can address formally expressed disputes, but can also be used to address disputes in which one party is unwilling or unable to publicly confront the other party. Conflict management tools, such as referring, listening, mentoring, coaching, and consultation, can be used to address these hidden disputes early and constructively, which often prevents them from festering and becoming larger conflicts. This use of formal and informal conflict management techniques facilitates the effective and constructive prevention and resolution of disputes in organizations (SPIDR Track I Report, 2001; Rowe, 1990a).

Finally, traditional dispute systems focus on the symptoms, rather than the source, of problems. They engage in problem-solving between the disputing parties, but not problem-solving for larger organizational issues. Integrated conflict management systems help identify and address the root causes of problems through systemic change. In theory, this allows an organization to decrease the highly visible costs of conflict and to increase organizational morale, productivity, and communication.

Although integrated conflict management systems represent a best practice in dispute system design, they are still an uncommon phenomenon. Organizations tend to incorporate singular ADR processes or a combination of various ADR processes into their conflict management systems. As a result, most dispute systems are designed to include one or several (but not all) of the components of an integrated conflict management system. This reflects the fact that evolution in an organization's dispute system design is neither inevitable, nor linear, and that such efforts have complex and complicated rationales that are guided by numerous incentives and blocked by multiple obstacles. Despite this, some organizations are taking purposeful efforts to create and implement dispute resolution systems that at least reflect the notion of the integrated conflict management system. Some private sector examples include Halliburton (formerly Brown & Root), Shell Oil, General Electric, Coca Cola, and Federal Express. Examples of public sector organizations include MIT briefly discussed earlier, and the National Institutes of Health and the Agency for Healthcare Research Quality discussed in the following sections.

C. The National Institutes of Health

The National Institutes of Health (NIH) Office of the Ombuds, Center for Cooperative Resolution (CCR) was established in 1997 as a pilot program supported by five Institutes at NIH. Given the positive findings of an evaluation team, and in response to a greater than expected demand for services, CCR was made a permanent office at the beginning of 1999. Today, the office is the focal point for conflict management at NIH. CCR receives a significant resource endowment and support from higher management, factors that have been very important to its success. Although it is officially designated an ombuds office, CCR is modeled on the concepts of an integrated conflict management system. Its services, including dispute resolution, conflict management, and dispute systems design, extend to the entire NIH community and utilize a variety of conflict management techniques and processes. The goals of CCR are to

1. Promote scientific research through efficient conflict management
2. Provide an alternative to EEO and other grievance processes
3. Improve the work environment and working relations
4. Reduce the time and resources devoted to workplace dispute resolution

Four important principles guide CCR in its pursuit of these goals: independence, confidentiality, neutrality, and informality. First, CCR is not part of any NIH institute. Rather, it retains independence as an autonomous office. Second, it maintains confidentiality and does not share information or take action without a client's permission. Third, it is a neutral party in disputes, and does not advocate a particular outcome in any case. Finally, separation from formal processes, such

as EEO and grievance procedures, ensures informality and the ability of CCR to address any type of workplace dispute. Some of its success can be attributed to its strict adherence to these principles.

The CCR office devotes approximately 65% of its time to dispute resolution, and the remainder to conflict management and dispute system design. In its dispute resolution efforts, the CCR Ombuds Program uses a variety of techniques including coaching, facilitation, and mediation, and often employs more than one technique in the same case. In addition, CCR also provides referrals to other resources for cases that require more specialized assistance. The majority of disputes brought to CCR involve "work environment" or "management" issues, although the office has handled a variety of other issues, including scientific disputes, racial and ethnic tensions, and interpersonal disputes in both individual and group situations. Finally, CCR also provides many ADR training and conflict management activities and seminars to a wide range of NIH personnel, from top decision-makers and management officials in its Executive Seminar Series, to frontline and staff personnel in its clinical workgroup sessions.

In addition to these processes, CCR has recently implemented a Peer Resolution Panel and incorporated this into the existing personnel grievance system. The panel, comprised of managers and peers, hears grievances filed by employees and determines whether the agency properly and consistently applied policy in the matter. CCR expects that the Peer Resolution Panel will help resolve cases at an earlier point in the grievance process. This brief description of the program highlights just some of the features that make the Office of the Ombuds at the Center for Cooperative Resolution an excellent ADR program, and demonstrates how it models the various facets of an integrated conflict management system.

D. Agency for Healthcare and Research Quality

The Agency for Healthcare Research and Quality (AHRQ) is housed within the Department of Health and Human Services (HHS) and supports healthcare research through grants and contracts with the goal of improving the quality and reducing the costs of health care services. With a staff of about 300 full-time employees, AHRQ historically generated very few EEO complaints. However, EEO complaint filings are far from the only indicators of conflict in a workplace. In 1995 and 1996, AHRQ scored among the lowest of all HHS agencies on the Human Resources Management Indicator (HRMI), an annual quality of work life survey conducted throughout the Department of Health and Human Services. The survey reflected AHRQ employees' dissatisfaction with the communication, trust, teamwork, and organizational structure of the agency. In response to these survey results, AHRQ created an Ombuds Office, which began providing services in November 1999. In considering a program, AHRQ determined that an ombuds

office, which could provide a wide range of workplace conflict management services, would be most effectively integrated into the agency's culture.

The AHRQ Ombuds addresses a broad range of workplace issues, including work environment, ethics, benefits, leadership, discipline, and research. These issues are handled primarily through casework and consultation. In terms of casework, the ombuds hears complaints, discusses concerns, explores options, serves as a neutral party in conflict management, clarifies decisions, policies, and practices, provides referrals to appropriate resources, creates access to information, and opens channels of communication. The ombuds also provides consultation services to AHRQ offices and centers, as well as to all personnel. These services include coaching people on organizational behavior and communication strategies, collaboration between and within offices and centers, helping the agency discuss, design, and implement organizational plans, suggesting and assisting in the examination of policies and procedures, and conducting training in conflict management and interpersonal communications. In addition to assisting with specific case disputes, the ombuds has the authority to address issues that have an agency-wide effect.

The Ombuds Office follows The Ombudsman Association Code of Ethics and Standards of Practice and provides all but one of the options (multiple points of access) recommended by the Society of Professionals in Dispute Resolution Track I Report (2001). Finally, the ombuds offers services that are confidential, neutral, informal, and independent. The independence feature is strengthened in the AHRQ Ombuds Office, because the ombuds is neither an AHRQ nor an HHS employee. Rather, the ombuds is contracted to the agency through a private provider hospital, creating an additional layer of independence.

AHRQ received the highest HRMI score in HHS in 2000, after previously ranking near last. Since the start of the Ombuds Program, AHRQ's survey scores have increased significantly to where they are now the highest ever measured in history of the index. The dramatic and rapid improvement in HRMI scores and the recent receipt of the Office of Personnel Management's Directors Award for Outstanding Dispute Resolution Program demonstrate the significant effect achieved by the Ombuds Program in its first 2 years of operation. Although no causal conclusions can be drawn, the ombuds seems to be having the intended effect on the AHRQ workplace.

The effectiveness of the program stems directly from the strategic design of the program and is made clear by its five-tiered measurement processes. One of the five tiers of measurement is regular collateral impact assessments which demonstrate the effect the Ombuds Program has on other related dispute and conflict mechanisms in the Agency including HR, EEO, formal grievance procedures, Office and Center Directors, and others. Collateral Impact Tracking along with the other measurement efforts has successfully identified systemic problems that cause recurring disputes throughout AHRQ. The ombuds is able to immedi-

ately address these issues by facilitating personnel retreats, team-building sessions with individual offices and centers, and other interventions. This measurement and evaluation system has provided valuable feedback about the program and has been instrumental in its success.

Although not officially designated an integrated conflict management system, the AHRQ Ombuds Program does work in an integrated fashion with all other AHRQ dispute and conflict mechanisms. These and other factors demonstrate the effectiveness of the AHRQ Ombuds Program and illustrate how organizations of all sizes can benefit from a considered approach to conflict.

V. CONCLUSION

This chapter has explored the theory and practice of dispute system design in organizations. This relatively new concept in conflict management was generated by research about power, rights, and interests as related to conflict management and dispute resolution processes in organizations. The idea of dispute system design recognizes that conflict is an inevitable and inherent part of life in organizations (Costantino and Merchant, 1996; Ury, et al., 1988; Slaikeu and Hasson, 1998) and moves beyond the negative connotations usually associated with conflict to appreciate that constructive conflict management requires both a willingness to address differences and the ability to do so effectively (Mayer, 1990; Lewicki, et al., 1999; Napoli, 2001). Research and theory suggests that organizations are moving away from power and rights-based ways of managing conflict toward dispute system designs that focus on interests. This means that in addition to arbitration and other rights-based processes, organizations are experimenting with mediation, ombuds, and other interest-based ADR programs.

As currently conceived by researchers and practitioners, the best dispute system designs will use stakeholder processes and interest-based approaches. Those in the ombuds profession have developed the notion of the integrated conflict management system as a best practice in dispute system design. In theory, these systems can help promote and facilitate productive and dynamic organizational efforts to resolve conflicts constructively, and to reduce the potentially negative and destructive characteristics associated with the conflict. Preliminary evidence suggests that these benefits also appear in practice. The ideas of dispute system design and integrated conflict management systems are quickly gaining momentum among academics and practitioners, ensuring the arrival of exciting new research in the near future.

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6

Assessing Group Conflict

Understanding the Line–Staff Relationship in Fire Service

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I. INTRODUCTION

Discussions on conflict within the fire service literature have centered mostly on labor and management relations (Grant and Hoover, 1994; Coleman and Gravito, 1988). The literature, however, has not explored the effect of functional specialization within departments that create a "chasm" between line and staff. It has been my experience that as officers and fire department personnel move from line assignments to staff assignments, and back again, they have a tendency to adopt different attitudes, perceptions, and feelings toward the organization and its decisions. Furthermore, philosophical differences between line and staff are exacerbated as the mission of fire departments change from *emergency response* to *emergency prevention*.

This dichotomy in function and perception has a tendency to create an attitude of animosity and negative energy between the two functional groups of line and staff. To illustrate these points this chapter offers a quantitative and qualitative examination of line and staff interactions in a large southwestern metropolitan fire department. At a minimum, this research seeks to provide a greater understanding of the root causes of conflict, which interplay in line–staff relations. The chapter concludes by discussing the implications of the findings.

II. INTRA-ORGANIZATIONAL CONFLICT: LINE AND STAFF

Fire departments have strong traditions, and perhaps the most pervasive tradition in fire service administration is the quasimilitary structure that possesses rigid lines of authority and maintains comprehensive standard procedures. In effect, the modern fire department models the Weberian bureaucracy: limited spans of control, hierarchical organizational structures, centralized authority and pseudo-autocratic styles. Furthermore, the two functional categorizations of line and staff and the criteria supporting their division are central to the fire service organization's prototype structure.

Because professional fire departments were originally structured around a 24-hr emergency response mission, long tradition dictates the structure of the typical "response" arm of the fire service. Remote outposts, or stations, are strategically located throughout the tax district. Successive levels of command are organized around response districts, and rigid emergency response rules are maintained. Rotating shifts of various configurations provide a 24-hr emergency response *net*. A culture that fosters bravery, self-sacrifice, duty, honor, and loyalty permeates the response arm of the fire service and a premium is placed on individual competence and technical wherewithal. Referred to formally as *line*, colloquially as *Combat*, this round-the-clock operational arm of the fire service maintains the bulk of the agency's resources and personnel. Generally speaking, when the public thinks of a local fire department, they think about the line arm of the organization. By virtue of its emergency response mission, which can be quite spectacular and heroic, the line function receives the greatest attention and far and away the greatest media coverage.

In response to the fire service's ever-expanding mission and increasing administrative demands, a second functional categorization has evolved within a fire department's structure. Referred to simply as *Staff*, this organizational arm provides administrative support for the agency. Characterized by standard work schedules, the staff arm of the fire service is responsible for the broader, "behind-the-scenes" administrative issues, such as strategic planning, budgeting, procurement, and prevention. The staff arm maintains most of the centralized command structure of a fire department; therefore most proclamations concerning organizational goals, mission, programs, and priorities are initiated from within this area.

Within the fire service there has always been the need for administrative support; however, the degree of *staff* activity has traditionally been small and tasks were generally associated with support of *line* operations. Modem trends in fire service administration have changed this reality. As public officials continue to downsize government and taxpayers become less prone to accept government justifications for increased funding, fire officials have been forced to become creative in service delivery (Grant and Hoover, 1994). To maintain organizational viability and vitality, progressive fire departments have begun to emphasize *pre-*

vention, *hazard intervention*, and *prehospital emergency* care as key roles of the fire service. Through the introduction of stringent fire codes, technically sophisticated fire protection systems, and plans review, aggressive hazard intervention, public education of fire problems, and an increased medical response mission, progressive departments have dramatically expanded the role of the fire service. These initiatives, viewed collectively, have essentially changed the central mission of the industry from one of emergency response, to one of emergency prevention. Staff functions, as a result of this role expansion and changing fire service mission, have grown substantially, and departments have seen a tremendous rise in non–emergency-related job responsibilities and skills (Grant and Hoover, 1994).

While necessary to remain viable, these trends may have inadvertently deemphasized the need and importance of the combat arm of the fire service and placed a premium on staff-related functions. Perhaps the best example of this can be noted by following trends in Fire Chief job requirements. As early as the mid-1970s, Fire Chiefs were generally assessed according to their technical firefighting vitas. Years of combat service, technical expertise, and firefighting prowess were considered hallmarks of the successful candidate. In the late 1990s, little emphasis is placed on technical experience. A successful Fire Chief today is assessed according to his or her administrative capabilities, educational level, and experience at managing programs. Premiums are placed on personal commitments to customer service, managing diversity, and notions of economy and efficiency (see, e.g., Hoover and Grant, 1994).

Line personnel have found themselves inundated with change: new initiatives, programs, and philosophies (i.e., Total Quality Management, Data-Driven Decision Making, Benchmarking and Value-Added Service Delivery) that are both confusing and seemingly unrelated to emergency mitigation. Resistance and frustration are common. Staff personnel, responsible for introducing the progressive initiatives, find line resistance to be confusing, narrow-minded, and risk-averse. As further change is introduced, confusion abounds. As confusion abounds, resistance amplifies.

III. SOURCES OF CONFLICT BETWEEN LINE AND STAFF: A LOOK AT THE ORGANIZATION LITERATURE

Although the change in mission within the fire service might be construed as the root cause of conflict between line and staff, this phenomenon is exacerbated by departments' reliance on functional specialization. A consequence of this structure is that it sets the stage where sub- and countercultures can be formed, which provide the conditions under which differences can emerge. For instance, specialization within organizations places together specialists with common professional

training to perform particular functions. The association in "functional groups" predisposes individuals to "frames of references" with specific beliefs and values that are reinforced by their respective group members, but not necessarily shared by other parts of the organization Ott (1989; p. 115) argues that these frames of references evolve to the point at which they become the underlying reasons for the way things are done, even when the methods are no longer appropriate.

Perhaps the irony of specialization is that it is a natural and necessary function of organizational life to get work done (Kramer, 1991; p. 200). As a result, conflict is a pervasive aspect of organizational life, which can revolve around differences over goals (Tjosvold, 1988; Nelson, 1989; p. 376). This phenomenon is characterized by functional groups who believe that their goals are negatively related. Consequently, line and staff are in a win–lose situation in which their successes are incompatible. It is also important that perceptions of goal inconsistency are important whether there is an actual inconsistency or not. The psychological implications of this phenomenon is that it causes the employee to view interactions in terms of group identity, rather than organizational identities.

Much of the literature on organization behavior targets competition for limited resources as another inducement to group differences (Kramer, 1991; Wilkins and Ouchi, 1983; Brown, 1978). In the literature, "resources" are considered to be both tangible and intangible. Kramer (1991; p. 197) categorizes tangible resources as "physical space, staff, information, and fiscal resources." Intangible resources, such as *status* and *recognition* are described as being more symbolic, but no less important. Kramer (1991) also suggests that groups in competition for resources tend to overestimate their "entitlement" to available resources. According to Kramer, this perception amplifies and creates a condition under which a group always considers itself as "underbenefited." These perceptions lead groups to engage in a competition for resources that is driven by strongly held, but mutually inconsistent, convictions over their entitlement to organizational resources (Kramer, 1991; p. 209).

The organizational literature also suggests that the power structure of organizations serves as a potential cause of intergroup conflict (Alderfer, 1977). In its simplest form, *power* can be defined as access to and control over resources (Brown, 1978; p. 163). Of particular interest here are structural arrangements within organizations that contribute to power balances (or imbalances) between functional groups (Brown, 1978; p. 163).

Hierarchy, for example, represents one form of structural arrangement that serves to consolidate power at the top. According to Mumby (1988; p. 67), if one group is better represented within the hierarchy, or has stronger ties to the upper positions of the hierarchy, it retains power. Mumby suggests that meetings serve as the best barometer to determine whether a group is tied to the power of hierarchy. Meetings "are events that people are required to engage in if decisions

are to be made and goals are to be accomplished" (Mumby, 1988; p. 68). Although this is the ostensible rationale for meetings, they also function as one of the most visible and important sites of organizational power because they provide a forum for groups to promote their interests and agendas, and to participate in the direction of the organization.

Another structural arrangement that has implications for power in organizations is the degree to which positions provide strategic value to the organization, regardless of their position in the hierarchy. Commonly referred to as "network centrality," organizational positions, because of where they are in the workflow process, become functionality indispensable, because they make other parts of the organization dependent on them. This literature notes that highly pervasive positions and work groups are responsible for making important organizational decisions (Astley and Sachdeva, 1984; Cook, 1990). [This particular chapter discusses the notion of workflow links in terms of individual positions and work units rather than "groups," (although a work unit certainly qualifies as a "group"). While it requires a minor, but safe, deduction, it follows that the group with the most integrated and interconnected positions is the group that will possess the most network-related power.]

As alluded to earlier, the existence of line and staff as functional categorizations institutionalizes conflict in organizations. This phenomenon leads to group delineations and stereotyping, and is linked to notions of "common enemy" or "common threat" (Rentsch, 1990; Janus, 1982; Alderfer, 1977). As group members perceive an external enemy to the group or its mission, there is the tendency for the group to become increasingly internally cohesive. As the group builds cohesion, negative stereotyping of the perceived "threat" increases. Stereotyping can become entrenched through the socialization of new group members and may thus be passed from generation to generation. Wilkins and Ouchi (1983; p. 473) note that this phenomenon becomes hardened into a form of culture.

IV. HYPOTHESES AND METHODS

Given the literature just discussed, the following hypotheses are examined here. First, it is hypothesized that line and staff within fire service organizations are in conflict owing to goal inconsistencies. Second, we posit that both functional groups in are conflict because of competition over limited resources. It is also hypothesized that conflict between these functional groups is perpetuated by power asymmetries within the organization. Furthermore, it is assumed that line and staff are in conflict owing to strong within-group ties and weak intragroup linkages. Finally, it is posited that conflict between line and staff is perpetuated by self-reinforcing behaviors.

To test these hypotheses, questionnaires were distributed to a quota sample of uniformed personnel (proportionate to rank) in a large southwestern metropolitan fire department, which maintains approximately 900 uniformed, civil service employees, and approximately 61 civilian employees.* In particular, the quota samplings consisted of 50 staff members and 50 line members. Questionnaires were distributed to these groups through interoffice mail during the fall of 1997. The surveys consisted of approximately 23 closed-ended items that asked respondents to indicate their level of participation in decision-making, access to information, budget authority or influence, and interaction between staff and operations. Responses to these questions ranged from -2 (rarely), to 0 (frequently), and to $+2$ (always). The survey also consisted of an open-ended section asking line and staff respondents to rank-order organizational priorities according to two criteria: (1) how they perceive each other to rank-order organizational priorities, and (2) how they believe the priorities should be rank-ordered.

The response rate for the survey was 94% for staff and 66% from line, yielding an overall response rate of 80% for both positions. In addition to the written questionnaires, a series of focus groups were conducted with line and staff to discuss survey results and explore in more detail the underlying meaning and patterns behind line and staff relations. Furthermore, the focus groups were used to embellish the survey results to offer more insights into the validity of the aforementioned hypotheses.

The independent variable for this study is the functional categories of line and staff, which is measured at the nominal level at which $1 =$ line and $2 =$ staff. A close examination of the aforementioned hypotheses reveals five dependent variables of interest. These variables are (1) goal compatibility; (2) resource competition; (3) structural power asymmetries; (4) within-group ties and between-group ties; and (5) self-reinforcing behaviors. Goal compatibility is measured as an ordinal level that is variable using the open-ended questions that asked line and staff how they *perceive* each other to rank-order organizational priorities, and how they believe the priorities should be rank-ordered.

To capture resource competition, Brown's (1978) framework was used by asking respondents whether they were kept informed on important decisions that affected them, whether they could gain access to information on important deci-

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* Six operative ranks within the line division existed in the department. Because the highest rank—Division Chief—represented only three personnel, this rank was removed from the available line sampling frame. The remaining ranks of Battalion Chief through Firefighter were separated by rank within the department's database. Random sorts within each rank field were conducted within the database. The top 10 random selections within each rank were selected to receive questionnaires, resulting in 50 possible respondents, 10 from each rank within the frame. On the other hand, because no similar rank-oriented disposition existed within the staff functional category, a random sort of all uniformed personnel within the staff division was conducted. The top 50 personnel on the list, excluding members of the Executive Staff, were selected to receive the questionnaire.

sions that affected them, and whether they had control of a portion of the organizational budget. Responses to these items ranged from -2 (rarely), to 0 (frequently), to $+2$ (always). Within-group and between group ties were measured by asking respondents the following questions. First, how often do line and staff interact with each other on work-related issues? When you interact, is the experience friendly and cooperative with a mutual understanding that you are working toward a common goal? Third, how often do you find yourself doing favors (personal or professional) for co-workers assigned to staff and operations? Responses to these questions had the same range as the resource competition items.

It was noted that power asymmetries can manifest themselves within the hierarchical structure of an organization and the workflow process as well. Consistent with Mumby's (1988) notion of power being tied to hierarchy, the survey asked the following question: In a typical week how often do you find yourself attending work-related meetings? The following items measured functional significance in the workflow process. First, how often do you find yourself interacting with members of other divisions (Training, Haz-mat Engineering, Code Compliance, and Administration) on work-related issues? And, second, how do you rate your work and personal connections to people in positions of authority to effect decisions in the department?

The concept of "self-reinforcing behavior" was measured by tapping into in the different functional group's tendencies to exhibit a "bias" toward or "stereotype" one another. Therefore, line personnel were asked the following question: Do you ever catch yourself thinking that those folks in operations don't have a clue about what's really important to this organization? Similarly, staff personnel were asked the same about line.

From a quantitative standpoint, the hypotheses will be tested using contingency table analysis were the frequency of responses to the dependent variables will be analyzed within the functional categories of line and staff. The statistical analysis will also be augmented with the results of the focus groups sessions with line and staff personnel to help bring more meaning to the quantitative results, and to offer an added perspective in testing the validity of the aforementioned hypotheses.

V. TESTING EXPECTATIONS

A. Hypothesis 1: Goal Inconsistencies Between Line and Staff

Tables 1 and 2 test the hypothesis of goal inconsistencies between line and staff. As noted in the methods section, respondents were given an exercise where they were asked to rank-order a list of six organizational priorities according to how

Table 1 Line Perception of Goal Compatibility[a]

Respondents' number 1 selection	Public education	Prehospital emergency care	Fire mitigation and emergency response	Employee development	Fire fighter safety and fitness	Fire prevention/ Preincident intervention
Perceive as number 1 goal	6.1%	54.5%	9.1%	3.0%	6.1%	6.1%
Believe as number 1 goal	6.1%	18.2%	27.3%	0%	36.3%	9.1%

[a]Table 1 is based on an $n=33$, and Table 2 is based on an $n=47$. For both tables, the results do not include the "other" category responses.

each group perceives each other to order them, and how each functional group believes the priorities should be rank-ordered.

The results show a strong similarity between line and staff perceptions on organizational goals—both the perceived goals of the organization and the preferred ranking of those organizational goals are very consistent between the two groups. Interestingly, both line and staff respondents perceive prehospital emergency care as the number one organizational priority (55% of line respondents selected this priority, and close to half of staff respondents also selected this priority). Furthermore, and perhaps more revealing, both line and staff selected

Table 2 Staff Perception of Goal Compatibility

Respondents' number 1 selection	Public education	Prehospital emergency care	Fire mitigation and emergency response	Employee development	Fire fighter safety and fitness	Fire prevention/ Preincident intervention
Perceive as number 1 goal	4.3%	48.9%	25.5%	0%	8.5%	6.4%
Believe as number 1 goal	6.1%	14.9%	34.1%	0%	42.6%	2.1%

Fire Fighter Safety and Fitness as their number 1 organizational goal, with 36% of line and 43% of staff respondents making this claim.

Unlike the survey results, however, the focus groups revealed overt goal inconsistencies between line and staff. Indeed, this phenomenon was illustrated in the following comment by one line respondent:

> I think part of the problem is we haven't done a very good job of reaching an agreement about what our primary mission is. I think there's a strong belief that prevention and public education are critical in the fire service. But, I think a lot of the fire service believes that it is a mitigation and medical mission. And they get off on these rabbit trails thinking rather than that public education is the same thing as prevention, and it's not. It may be a point of prevention. I think . . . as an organization, we ought to be open to an agreement on what our primary mission is and then stand back and figure out how are we going to accomplish it and what's the most effective way to do this.

In response to a question asking whether participants believed there is agreement on an organizational mission between line and staff, line respondents unanimously claimed, "No." As one respondent said, "Heck no. We don't have any consensus like that." However, there appears to be inconsistencies even within the line focus group as to the primary mission of the department. The consensus within the line focus group is that there exist so many "priorities," there is not a coherent direction for members to claim as the "one" central priority.

It also appears as if both staff and line participants perceive the goal incompatibility to exist as a perceptual difference concerning importance of roles. In other words, Staff members perceive their goals as proactive, designed to prevent emergencies before their occurrence. As one staff respondent noted: *[Line is] approaching it from the reaction standpoint, and that's all they see. We're looking at it from the proactive, prevention standpoint. And so, those two things are at odds*.

Although line members recognize the importance of this proactive role, nevertheless they perceive themselves as spearheading the multiple repertoire of services offered by the fire service. Contrast the foregoing statement to the following line dialogue:

> The stations are . . . doing prevention, but [they] are . . . responding to emergencies too. It's the guys out there in operations that are going out and doing everything that staff guys write in mission statements and the policies. We're out there doing this for the department. That's why I say we're the "point." The end mission will come right down to everybody [in operations]. The tip of the spear . . . [is] in operations because . . . your positive public perception is built on a service delivered out in the field. That's where we get our good reputation. That's where people get this positive perception. People aren't thinking, "Thank God that that staff person is over there."

These statements provide an interesting contrast to those made by staff personnel, and suggest a possible degree of conflict over the relative importance of staff versus line functions. Therefore, the focus group evidence supports hypotheses of goal incapability. Furthermore, there are divergent opinions on the best means to accomplish the different set of organizational priorities. On the other hand, the survey results are paradoxical to the focus group feedback, and suggest that there is not a goal inconsistency between line and staff. This perceptual difference may exist not so much in notions of "mission," but rather, in notions of how best to accomplish that mission. While it was not explicitly discussed in both groups, there is likely consensus between both line and staff members that the central mission of the fire service is to save lives and protect property. That issue was not being disputed. The perceptual difference appears to develop when discussing how best to accomplish that mission: through staff roles or line roles. Judging from the focus group transcripts, it appears to be a contest of who has the more important role. Indeed, the survey data are strikingly similar. Viewed collectively, however, the contradiction between the survey data and focus group feedback provide an important insight into the line–staff relation as it reveals a perceptual dichotomy between the two groups, in spite of evidence that suggest a closely aligned goal hierarchy between the two groups.

B. Hypothesis 2: Line and Staff Are in Conflict Owing to Competition Over Resources

As noted in the methods section, *resources* are operationalized as access to information and budget authority. Table 3 displays the frequency to which line and staff have access to these resources. The survey data offer mixed support for hypothesis 2. For example, 73% of line respondents claim to never retain budget authority, whereas 51% of staff respondents claim to have some budget authority. These data suggest a possible asymmetric distribution of resource control. However, the responses to the items concerning access to information appear to be

Table 3 Resource Competition

Question	Staff responses	Line responses
Informed about decisions that affect you.	Frequently (45%)	Frequently (42%)
Access to information about decisions that affect you.	Frequently (45%)	Frequently (42%)
Retain budget authority.	Never (49%)	Never (73%)

consistent between the two functional groups, suggesting that they share a relatively equal perception concerning their access to information on decisions that affect them. In particular, over 40% of line and staff report they are "frequently" informed about decisions, and that they have "frequent" access to information. These data suggest parallel perceptions on access to information between the two groups.

Overall, then, it can be concluded that the survey data provide only partial support that line and staff are in conflict over resources. However, the focus groups indicate that the access to information is bit more asymmetric than the survey data suggest. For instance, during the focus group sessions, respondents were asked whether they felt as if they were "in the loop" within the department with reference to obtaining information. Overwhelmingly, line respondents claim to be *out* of the loop as it pertained to access to information. Numerous respondents noted that their "access" to information is simply what is transmitted down to them through the chain of command and that it is frequently "behind the power curve." As one line respondent noted: *I tend to hear about things after decisions have been made. [You think you're getting a lot of information, but] 6 months later you feel like, "Man, I don't have any idea what's going on in this department*."

Line participants agree that their access to information is limited and this limitation may be due to the military structure of the organization, coupled with the remote outpost configuration of station assignments. Furthermore, they note that an attempt to gain information on department decisions might present a breech of command. Subsequently, there is a natural inhibition for line personnel to attempt to gain information—members do not want to risk breaking the chain of command. Thus, they recognize that structural impediments to information exist within the line functional group.

Although line participants agree that there may be a "loop" that provides access to information, even if they were willing to break the chain of command, they note that they are reluctant to use it as they oftentimes do not know who to call or what section to contact. One line respondent provides an interesting description of this phenomenon:

> As far as access to information, go to all the firefighters, drivers, lieutenants, captains in your district and ask them, "Hey, where is so-in-so in staff right now?" They won't be able to tell you whether they're at headquarters or at Med Ops . . . It's like: "Where is so-in-so's office?" I'm frustrated because there ain't [sic] no loop.

Staff respondents overwhelmingly concede that they are much more in the loop than line personnel. One respondent notes that the multiple work-related links between staff offices and the need to coordinate and communicate on programs and projects naturally keep staff members in the information loop. This staff member notes the following:

> Within staff there's a lot more communication, especially through the assistant chiefs. Everything is communicated, probably on a weekly basis. Whereas, I think when you get out in operations, if it doesn't directly affect your unit you may not hear about it right away. It may be 2 weeks later when it's filtered down to your unit that you're going to a central site delivery for a training purpose or . . . you're going to a school. We've known about it for several weeks.

Unanimously, staff participants agree that access to information and participation in decisions is increased as a function of their staff assignment. Similar to line perceptions, staff participants agree that a line member would not know who to contact to gain that information. The following staff dialogue reveals this agreement:

> I think maybe they don't know which way to go to get the information. Or, which way to go to be in-the-loop. They're not exposed . . . because they pick up that phone they do not know which person to call to get the information.

When the researcher suggested that a line attempt to access information by calling an assistant chief might constitute a breech of command, staff participants agreed. Remarkably, when staff participants were asked if their attempts to access information through an assistant chief would constitute a breech of command, they claimed it would not. Why the special treatment? In response to this question, one staff member noted the following: "I think it's because on a day-to-day basis you work with your assistant chief or your chief."

The transcripts from the line and staff focus groups provide strong support that staff members possess greater access to information than line members. Both groups agree that an information loop exists within the fire department, and that staff members, by virtue of their assignment, maintain greater participation within that loop. Therefore, it can be concluded from these focus group findings that line and staff are in competition for information, and that access to that information is asymmetric owing to functional assignment, thus supporting the hypotheses on resource competition.

C. Hypothesis 3: Line and Staff Are in Conflict Owing to Structural Power Asymmetries Between the Two Groups.

Table 4 explores the power asymmetry hypothesis by assessing respondent's perceptions of their presence in "workflow linkages," and "meetings." In addition, the data examine their perceptions of work/personal connections they have to people in positions of influence in the organization, or "connection power."

The survey data show that in reference to multiple work-related linkages, just over 80% (85%) of staff respondents claim to interact with other organiza-

Table 4   Power Asymmetry

Question	Staff responses (%)	Line responses (%)
Workflow linkages	Sometimes/frequently (85%)	Sometimes/frequently (71%)
Meeting as power	Sometimes/frequently (87%)	Sometimes/frequently (50%)
Connection power	Healthy/moderate (56%)	Healthy/moderate (50%)

tional sections on a "sometimes or frequent" basis. Interestingly, 71% of line respondents claim to interact with other sections and divisions "sometimes" and on a "frequently" basis as well. These data suggest that while a higher percentage of staff personnel may have greater workflow links than line, the difference between these groups is not that great, suggesting that more than a majority of each group's members perceive their level of work-related linkages equally. Thus, only partial support for the power asymmetry may be claimed as it relates to the indicator of workflow linkages.

In reference to meetings, 87% of the staff respondents claim to attend meetings on a "frequent/sometimes" basis, and half (50%) of line respondents make the same claim. In terms of "connection power" within the organization, similar percentages of line and staff perceive their level of connection power to be "moderate to healthy." At first blush, these data would lead one to conclude that power between the two groups is relatively equal, thus providing little support for the hypotheses. However, the survey data tell only one side of the story.

For example, when these findings were explored in more detail during the focus group sessions, a different picture emerged. For example, line respondents overwhelmingly agreed that staff members, by virtue of their functional assignment are to a much greater extent "aware" of information and the "source" for decision-making more than line personnel. Indeed, staff respondents even went so far as to claim that the staff functional category is the source and "loop" within the fire department. As one staff member observed: ". . . I think staff [is] . . . the hub. It's just a concentric circle. Within staff there's a lot more communications . . ."

Staff respondents agree that being assigned to the staff functional group provides greater access to multiple sections within the department (network centrality and workflow links), and that this access keeps them informed on activities that are going on within the department (access to information). Thus, the staff perspective suggests that staff members perceive themselves as being fundamental participants in the loop and that, perhaps, they may even constitute the loop itself.

Contrasted with line responses, it becomes clear that there is a department-wide perception that staff participants are more in the loop than are line ones.

Line respondents also perceive the existence of structural impediments to membership in the loop. By virtue of their assignment in the line group, which necessarily, but inexplicably, maintains a more rigid application of the chain of command, line personnel feel as if they can not join the loop even if they wanted to.

Hence, even though the survey data suggest a "power balance" between groups, the narrative feedback indicates that the frequency of line participation in workflow linkages and meetings does not imply that they initiate decisions or provide input to decision-making. Furthermore, the frequency of "connection power" does not infer that line members influence decisions or outcomes either. Rather, *connection* appears to revolve around how members of line interact with each other to get things done in an expeditious manner.

D. Hypothesis 4: Line and Staff Are in Conflict Because of Strong Within-Group Ties and Weak Between-Group Ties

Table 5 offers a first step in testing the validity of hypothesis 3 by presenting the frequency of responses among line and staff to questions focusing on contact and interaction, not only within these groups, but also between them. For purposes of this study, *contact* refers to any activity, such as a attending Standards of Care classes, that brings a person within close physical proximity of another employee. On the other hand, *interaction* refers to any work-related activity that involves mutual cooperation between employees toward achieving some work-related goal.

The first two items in the table consider interaction within and between the functional groups of line and staff. The data strongly suggest that the level of

Table 5 Group Ties

Question	Staff responses (%)	Line responses (%)
Frequency of interaction with staff	Frequent/always (79%)	Sometimes (30%)
Frequency of interaction with line	Sometimes (45%)	Frequent/always (90%)
Frequency of contact with staff	Always (70%)	Rarely (50%)
Frequency of contact with line	Frequently (53%)	Frequent/always (80%)
Quality of interaction with staff	Frequent/always (83%)	Frequent/always (70%)
Quality of interaction with line	Frequent/always (65%)	Frequent/always (90%)
Level of favors for co-workers assigned to staff	Frequently (26%)	Rarely (45%)
Level of favors for co-workers assigned to line	Sometimes (36%)	Sometimes (42%)
	$N=80$	

within-group interaction is high for both line and staff. Fully 79% of staff respond-ents claim to interact with within-group members on a "frequent" or "always" basis; likewise, 90% of line respondents claim to interact "Frequently" or "al-ways" with within-group members.

The data in Table 5 suggest that levels of interaction between the two functional groups are low, whereas levels of interaction within the two functional groups are high. The data does show that staff personnel have some interaction with line personnel, as 45% of the staff respondents claim to interact with line personnel on a "sometimes" basis. Only 30% of line respondents claim to interact with staff personnel "sometimes."

When looking at the Frequency of Contact items, the data reveal strong support that within-group contact for both groups is high, whereas between-group contact is low. Indeed, 70% of staff respondents claim to have contact with each other on a frequent and regular basis. Similarly, 80% of line respondents claim to have regular contact with each other.

The information for the items focusing on quality of interaction is interest-ing. Despite the high levels of within-group contact and the low levels of between-group contact, both groups perceive interaction with each other as being "friendly" and "cooperative," with a mutual understanding of common goals.

The last two items in Table 5 measure reciprocity as an indicator of within-group cohesiveness. Interestingly, neither group indicates a strong positive re-sponse to these questions. Approximately 26% of staff respondents claim to do favors frequently for within-group members, whereas 18% of line respondents claim to frequently do within-group members favors. Responses for staff on both questions about within-group and between-group favors fall in the "sometimes" response category as well. Similarly, most line respondents claim to "rarely" do favors for Staff members (46%), while the majority claim to do within-group members favors "sometimes," (42%). These data do not make any compelling statements for either group.

Overall, it can be concluded that the data in Table 5 provide partial support for the notion of strong within-groups ties for line and staff and weak between-group linkages between the functional groups. In particular, the data does suggest that both groups maintain strong within-group ties and weak between-group ties as measured by levels of contact and interaction. Yet, the results focusing on reciprocity as a quality of interaction between groups offer minimal support for the group cohesion hypothesis.

Although the indicators of "contact" and "interaction" are not directly probed by focus group questions, their existence can be inferred from related focus group discussions. In particular, the discussions on whether line or staff perceive themselves as "in-the-loop" reveals high levels of within-group contact and interaction and low levels of between-group contact and interaction. This point is noteworthy in the staff focus group. In explaining why staff members

are in-the-loop, several participants revealed tendencies of high within-group contact and interaction:

> Because we have to contact. Even though we don't do it real well. We still have to coordinate and communicate. Bob's got something I need, or I've got to do a project that involves using some of Bob's equipment. Those kinds of things.
>
> Within staff there's a lot more communications, especially through the assistant chiefs. Everything is communicated probably on a weekly basis. Whereas, I think when you get out in operations, if it doesn't directly affect your unit you may not hear about it right away. It may be 2 weeks later when it's filtered down to your unit that you're going to a central site delivery for a training purpose or you're going to a school. We've known about it for several weeks.

Thus, according to staff perceptions, within-group contact and interaction are a necessary function of their organizational positioning. staff participants claim to work on broader organizational issues that move well beyond "only having to worry about their station" and, as a result, interact with other staff sections, divisions and departments in the pursuit of their tasks.

Line focus group members appear to agree. Although there was not a great deal of discussion focusing directly on strong within-group interaction from the line focus group, the following statements reveal low between-group contact and interaction.

> I feel at times I have been in-the-loop, but I would say on a whole, no. Of course I don't feel like I'm in-the-loop. And part of that is the isolation of fire stations versus where staff members work. It's very possible for firefighters, once they are in, to go work at their fire station and have almost no interaction with staff or anyone in any higher position.

Furthermore, as was mentioned in the previous section on information, there is a great deal of evidence from both the staff and line focus groups that line members do not know who to contact in search of information, which suggests a low level of between-group contact and interaction. This conclusion is an inference, but nevertheless, a logical one. If contact and interaction were high between the groups, it seems logical that line members would know whom to contact for organizational-based information. Thus, the focus group results tend to support the survey data, as it is apparent that both line and staff members perceive interaction between the two functional groups to be low.

E. Hypothesis 5: Differences Between Line and Staff are Perpetuated by Self-Reinforcing Behaviors

Table 6 explores group tendencies to stereotype out-group members. Indeed, 66% of staff revealed that they "frequently" and "sometimes" stereotype line personnel.

Table 6 Examining Reinforcing Behaviors

Question	Staff responses (%)	Line responses (%)
Stereotype of line	Frequently/sometimes (66%)	Rarely (45%)
Stereotype of staff	Rarely (47%)	Frequently/sometimes (68%)
	$n=80$	

Indeed, almost the same percentage of line personnel (68%) felt that staff "doesn't have a clue."

The focus group sessions confirm the results in Table 6. To begin, there was a strong tendency within both groups toward ethnocentrism. In the staff focus group, for example, this tendency is manifest by examining interpretations of job requirements. Specifically, staff participants claimed to have much more work and responsibilities on a daily basis than line personnel. This perceived workload asymmetry appears to lead to resentment, that, in turn, manifests itself in a tendency to stereotype the out-group while building up the in-group as having an unrealistically more important role. Note the progression of the following staff response:

> Staff does tremendously more than operations . . . we have real jobs. Right? (laughter). Take a staff job, the 8-h period. Take out your breaks. Take out your lunch, how many of those hours do you get breaks? (Laughter) ". . . How many of those minutes are filled with productive work time? [Do] the same thing in operations. Take the 24 h of operations . . . Take 8 of it . . . Take that time and add up how much time was really spent on runs; how much time was spent returning to an alarm, going to alarms; how much time was spent cleaning the station? How much time was spent on other activities that they did that day? And then, compare the two, and I think then you'll see where there's somewhat of a attitude, I guess, that they do have a lot of time. [In addition,] the longer you stay in staff, the more you probably experience it, when you go on vacation or you're sick or it's your day off, your work is still there. It piles up . . . [In] operations, when 12 o'clock rolls around, or if you're on a call . . . you're relieved on the spot.

The foregoing dialogue reveals group tendencies toward ethnocentrism, to view in-group actions positively while concurrently developing negative perceptions of out-group activities. When asked if these "attitudes" about line personnel were ever discussed by "bad-mouthing" the other guys (stereotyping), numerous staff participants agreed that they were. Several staff participants confessed that they tend to focus on a negative event with line personnel and, subsequently, allow that interpretation to bias their entire perception of line members (mobilization of bias). As two staff participants note:

> We have the tendency to focus on the negative. So, if you were talking to a whole group of people in operations, and you get a negative comment from one that says, "That's not our job. We shouldn't be doing this." And the others who don't necessarily feel that way, they don't say anything. Well, we zoom in and we focus on that negative comment. So then so we carry that with us.
> We'd sit around and say, "Oh they don't do anything but watch TV." And everybody will pick up and play on that for a while. The only difference is that we don't do it 24-h at a time because you have to go back to work.

Line participants display similar tendencies toward mobilization of bias and ethnocentrism. Interestingly, line participants recognize that staff members are required to do work that is different from traditional station activities, and there even appears to be an element of respect for what staff members are required to do. However, line personnel overwhelmingly categorize staff members as working in an undesirable assignment, as "whiners" who do not want to be assigned to staff and are simply biding their time until they can get out. Like a prison sentence, line perceptions are that staff personnel do not want to be where they are. Note the following dialogue by two line personnel:

> It's like a 180-degree turn from what they're used to doing. And for most people now assigned to staff, these are the operations people who are sitting out there bitching about staff, steadily finding themselves in staff having to learn a job they really don't want.

Line participants also reveal the tendency to cast all staff personnel into the same basket, no matter what their assignment or role. When asked if line personnel tend to associate staff, as a group, with executive decisions from the Command Staff, unanimously, they agreed that they do. This tendency suggests a level of ethnocentricity, which may lead to general stereotyping of the out-group. In addition, if undesirable decisions or edicts are transmitted from the Command staff, operations personnel may view all staff members as the "common threat" group (Janus, 1982). Furthermore, line participants, similar to staff, agree that they maintain a tendency to focus on the negative and to allow that negative experience to amplify. As one line officer notes:

> The perception is when you ask somebody in the operations group, "What do you think of staff?" The first thing they think of is the department is on staff's side.

Overall, the focus group dynamics revealed strong tendencies toward self-reinforcing group behaviors. In addition, evidence of "ethnocentrism," "mobilization of bias," and group tendencies to "stereotype" out-group members were prevalent in the focus groups.

VI. DISCUSSION AND IMPLICATIONS OF THE FINDINGS

The results presented here indicate that functional categorization affects line and staff relations. Perhaps the most telling finding is that although both groups have perceptual differences of one another, they exhibit similar views on organizational issues. This point was illustrated in reference to organizational priorities for which both groups exhibited consistent rankings on preferred organizational priorities. The focus groups clearly indicated that line and staff have not discussed the organization's mission and goals in an open and constructive manner. Consequently, both groups exhibited a perceived sense of "distance" for where the organization should be heading despite the similarities in their rankings of priorities.

The "distance" between line and staff was also manifested in their tendency to delineate strong group boundaries and stereotype each other. Furthermore, the data showed that power asymmetries existed between both groups in reference to budget authority and access to information. Although the survey data found that line members felt they gained access to information, the focus group results showed that the para-military structure of the fire service clearly inhibits line's ability to be privy to forthcoming decisions; rather, they are on the "receiving end" of decisions.

While many line personnel accepted this phenomenon as a reality of their jobs, this dynamic perpetuated perceived group differences in that many line members viewed all staff as a "common threat" when undesirable decisions are made without some input from operations personnel. It is not that line respondents could not live with unpopular decisions; rather, many indicated they wanted their ideas expressed before a decision was made. As one operations person noted: "I [prefer] to make my opinion heard. What you do after that is your business."

A major implication of these findings is that group processes of conflict are largely a function of perception, and differences in perception are either enhanced or reduced by organizational structure. Most interestingly is that the group and structure processes of conflict are well within the control of the creative administrator. Nelson (1989), for example, notes that there is overwhelming support for the notion that contact between groups reduces the incidence of conflict and division. As such, fire administrators need to consider methods that transcend the organizational structure to foster dialogue on mission and goals between line and staff. Strategic planning is one method that could foster more constructive dialogue between both groups, and, in turn, articulate their commonalties that were substantiated in this study. The use of strategic planning, however, requires an understanding and commitment on the part of the fire chief and senior staff. Furthermore, this approach requires a long-term commitment by senior staff to convince the rest of the organization that the process is genuine, in order to build, and maintain, dialogue between both functional groups.

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7

Workplace Bullying

Overcoming Organizational Barriers and the Way Ahead

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I. INTRODUCTION

International interest in workplace bullying has flourished, particularly over the latter part of the past decade. Concerned community groups, government agencies, and workplaces have tried to discern how best to manage it; research indicates that the problem is complex and widespread. The first text on workplace bullying, *The Harassed Worker* (Brodsky, 1976), described both the work situations of workers who sought compensation for ill treatment at work and the adverse effects of their work. Almost a decade later, in 1984, Scandinavian researchers Leymann and Gustavsson (1996) described mobbing as a serious work problem, but their research was not published in English at that time. The Scandinavian and European researchers published a series of papers on the topic of workplace bullying in English in 1996 for the first time. In their editorial, Zapf and Leymann (1996) referred to the different terminology used to describe the same phenomenon: harassment, mobbing, and workplace bullying. The latter term is used throughout this chapter.

II. DEFINING WORKPLACE BULLYING

Establishing an operational definition of workplace bullying is an issue of discussion in Australia (Victorian WorkCover Authority, 2001). The Queensland Work-

place Bullying Taskforce (2001, p. 7) stated, "There is currently no internationally or nationally agreed definition of workplace bullying." This is supported by Hoel and Cooper (2000) in their recent report from the United Kingdom.

Some investigators have defined bullying in their research, others have not. Those that have defined it have used a variety of definitions; however, there are three key components to most definitions (Quine, 1999). First, it is defined in terms of its effect on the recipient not the intention of the bully; second, bullying has a negative impact on the victim; and third, it is a repeated activity. The South Australian Office of the Employee Ombudsman (1999) stated that power imbalance is a key component of all definitions, and defined bullying thus, "Workplace bullying involves the persistent ill treatment of an individual at work by one or more other persons" (Office of the Employee Ombudsman 1999; p. 3).

The 1997 Workplace Bullying Project undertaken by the Working Women's Centre of South Australia used a subjective and descriptive definition of bullying:

> behaviours, acts or situations such as sarcasm; threats; verbal abuse; punitive behaviour, "ganging up," and isolation which has the effect of intimidating, humiliating or psychologically terrorising individual workers or groups of workers.
> The term "workplace bullying" is used deliberately to convey the coercive or persecuting nature of the behaviour. It effectively labels what can be a bewildering and confusing experience which victims find very difficult to describe . . . The incidents are often petty and vindictive having the effect of intimidating or terrorising their victims, sapping their self-confidence and even making them fearful of entering the workplace.
>
> <div align="right">(Thomson, 1997; p. 14)</div>

Rayner and Hoel (1997) grouped bullying behavior into five categories:

> threat to professional status (e.g., belittling opinion, public professional humiliation, accusation regarding lack of effort); threat to personal standing (e.g., name-calling, insults, intimidation, devaluing with reference to age); isolation (e.g., preventing access to opportunities, physical or social isolation, withholding of information); overwork (e.g., undue pressure, impossible deadlines, unnecessary disruptions); and destabilisation (e.g., failure to give credit when due, meaningless tasks, removal of responsibility, repeated reminders of blunders, setting up to fail).
>
> <div align="right">(Rayner and Hoel, 1997; p. 183)</div>

Three strands of bullying research have been conducted to date (Quine, 1999). The first has adopted an individualistic approach and has included the dynamics of the bully–victim relationship. The second category has documented the prevalence of workplace bullying, and the third category has focused on the organizational aspects of workplace bullying. Much of the research conducted to date lies in the first two categories. The focus of the study described in this

chapter is, however, on the organizational strategies employed to prevent and manage workplace bullying. It thus falls into the third category described by Quine (1999).

The workplace is a complex setting in which work processes and human interactions take place (Quinlan and Bohle, 1991). It is argued that it is important to more fully develop an understanding of the background setting in which workplace bullying occurs. This has been voiced by several researchers (Crawford, 1997; McCarthy, et al., 1995; Rayner, 1999; Sheehan et al., 1999). It is suggested that this is particularly relevant with the changing dynamics of the modern workplace, such as increasing casualization of the workforce and organizational downsizing.

III.   REPORTING WORKPLACE BULLYING

Reports from the international literature indicate that workplace bullying is widespread (Einarsen and Skogstad, 1996; Hoel and Cooper, 2000; Rayner, 1998), although the exact prevalence remains unknown. The first study in the United Kingdom to establish the incidence of workplace bullying was reported by Rayner in 1997. Her study revealed that over half the 1137 respondents, from a sample of convenience, had experienced workplace bullying, and more than three-quarters of respondents had observed it. These findings led Rayner to conclude that "bullying is part of many people's working lives" (Rayner, 1977; p. 207). Subsequent research in the United Kingdom by Hoel and Cooper (2000), who surveyed a representative sample of 5,288 employees at random, revealed that one in ten respondents reported they had been bullied in the last 6 months; nearly a quarter reported having been bullied in the last 5 years. Thus, bullying is a significant contemporary workplace hazard. Prevention and management of workplace bullying is of immediate concern and a substantial challenge for all involved. Studies from South Australia (Thomson, 1997) and Queensland (McCarthy et al, 1995) reveal that workplace bullying is also a problem in Australia.

Although workplace bullying is widespread, it is generally recognized and accepted that there is an underreporting of incidents and injuries in most areas related to occupational health and safety (Industry Commission, 1995). Reported injuries are usually considered to be merely the "tip of the iceberg" of those injuries that actually occur at the workplace (Quinlan and Bohle, 1991). The general rule-of-thumb is that for every injury reported there are seven to ten that are not. Such underreporting is also likely to happen with workplace bullying (Thomson, 1997), perhaps even more so owing to the social stigma attached to bullying.

Bullying at work can be masked by people changing jobs (or departments) rather than filing complaints or incident report forms (Rayner, 1998), meaning

that statistics on these victims would remain hidden. Although both men and women may be involved in workplace bullying, gender may influence reporting (O'Moore et al, 1998; Thomson, 1997). For example, men may be less likely to report bullying particularly in a "macho" work environment.

A climate of restructuring and downsizing may lead to increased competitiveness and increased emotional stress. In such a work climate it could be anticipated that people may fear losing their job if they reported bullying, which, in turn, could lead to either underreporting or tolerance of bullying behavior. This work climate may also be conducive to reduced victim support from peers. An Australian research study conducted by McCarthy, et al, (1995) surveyed 373 participants in restructuring programs across both private and public sectors. Seventy-four (nearly 20%) of those surveyed had taken time off work as a result of the bullying and took an average of 50 days off work. The investigators called for further research into procedures for dealing with the problems associated with bullying at an organizational level.

Organizational culture is likely to have a bearing on whether or not bullying takes place (Archer, 1999; Barron, 1998; Crawford, 1997). It is also suggested that it will have a bearing on how safe people feel in reporting bullying. Negative outcomes for those who have reported bullying have been described in much of the literature (Rayner, 1998; Thomson, 1997). Further, bullying or ostracism at the workplace may act as a disincentive to other employees to report bullying. If reporting bullying is not perceived as successful by victims, and most studies indicate that only a small number of victims (about 13%) report that formal complaints were successful (Rayner, 1998; Thomson, 1997), then such unsuccessful outcomes will act as disincentives for others to formally complain.

Difficulty proving bullying behavior relates to the type of bullying, which may be either direct or indirect. Indirect cases are harder to identify and may include such practices as ostracism. The onus is on the victim to prove bullying behavior and this may act as a barrier to reporting it. Generally speaking, the victim needs witnesses to support his or her claim. Because bullying is often done in isolation, finding such witnesses can be very difficult. Consequently, victims need to keep a diary of events to support their claims and support any subsequent prosecution (Office of the Employee Ombudsman, 1999; Thomson, 1997).

The system of reporting workplace bullying itself may perpetuate underreporting. For example, in a workplace where a supervisor is bullying a subordinate, the subordinate is likely to carefully consider the pros and cons of reporting the bullying behavior if the supervisor is required to sign the incident report form. Rayner (1999; p. 31) found that "workers [were] too scared to report it," which is a sad reflection on the system.

In addition, a review of sick leave data to help reveal the extent of the workplace bullying may provide an incomplete picture of the effects of workplace

bullying owing to underreporting (Victorian WorkCover Authority, 2001). Recent New Zealand research into the mental illness effects of management malpractice revealed that a number of those who had endured bullying at work reported influenza as the reason they took sick leave (Robertson and Lamm, 2000). Thus, misclassification of the cause of illness on workplace sick certificates is another aspect of the problem. Furthermore, rather than taking sick leave when ill, some victims believe that the problem of workplace bullying is their own fault. These victims may then work harder to try and rectify the problem, rather than taking the time to get well (Rayner, 1999).

In summary, the underreporting of workplace bullying may be related to a variety of organizational issues. Therefore, it would seem reasonable to anticipate that organizational strategies are required to redress the problem.

For those victims who do report workplace bullying, the outcome is usually unsatisfactory (Rayner, 1998). It is argued that organizations have a key role to play in addressing workplace bullying, correcting underreporting, and generating successful outcomes for the victims. Research conducted in South Australia has found that "where they exist in workplaces, current procedures are frequently ineffective" for dealing with workplace bullying (Thomson, 1997; p. 11). Therefore, it seemed timely to conduct further research to assist industry with understanding and managing the problem at an organizational level.

IV. UNVEILING THE TABOO

Einarsen (2000; p. 7) described research into workplace bullying as "unveiling an organizational taboo." The study described in this chapter was undertaken to explore issues related to workplace bullying at an organizational level in South Australia. A qualitative method was the vehicle used to facilitate the metaphoric "unveiling" described by Einarsen (2000). The study sought to determine both barriers to, and the factors that constitute best practice in, addressing the problem of workplace bullying.

The study had two unique features that differentiated it from other workplace bullying research published to date. The first distinguishing feature of the study related to the purposeful sample chosen, which comprised nine persons, with diverse perspectives of managing workplace bullying at an organizational level. Three participants, two women and one man, held managerial positions within an organization that had recently introduced a no-bullying strategy. The other six participants, two men and four women, were employed by different agencies, where their role included advising organizations and individuals on how to deal with workplace bullying. The different viewpoints gained from these six participants included the union, the employer, the worker advocacy agency, and the administrative and enforcing bodies. The participants were, therefore,

able to give a "global" view of workplace bullying at an organizational level; this was a strength of the project.

The second distinguishing feature of the study was that it was tied to Giddens' Theory of Structuration (Giddens, 1984). This provided a logical basis and sequential framework for the interview questions used and provided a vehicle to describe the stages an organization might conceivably go through when addressing a social issue such as workplace bullying. Furthermore, linking the study to a theory, distinguished the current study from most of the other bullying research conducted to date.

The following section of the chapter briefly outlines information on the theoretical basis of the study and is adapted from a paper describing the research method used in the study (Boucaut, 2001a). The final section presents the results of the study and concludes with suggestions for addressing workplace bullying within an organization (Boucaut, 2001b).

A. The Theoretical Background of the Study

Giddens' Theory of Structuration (Giddens, 1984) provides a mechanism to understand how social processes influence the structure of society at the macrolevel. The theory also provides a tool for the review of systems that evolve at the meso- (organizational) level. A key component of this theory is the double hermeneutic process, where people, after reflection of day-to-day activities and in the light of new knowledge, are able to influence the structure of society by either reproducing current practices, or by changing them. It is argued that the double hermeneutic process is a process we are currently going through as we try to address workplace bullying. Historically, bullying has occurred within society both at school and at the workplace. However, current community attitudes and recent scholarly research pose current challenges that question the appropriateness of such traditional behaviors.

Turner (1991) analyzed Giddens' work and produced a diagrammatic model of the Theory of Structuration. Turner's model was used in this study to provide a framework for illuminating how the social issue of workplace bullying can be managed within an organization.

In this study, Giddens' and Turner's definitions of each of the sensitizing concepts are interpreted within the context of workplace bullying. Each of the sensitizing concepts is briefly described in relation to workplace bullying in the following section. For a more detailed explanation of these concepts, see Boucaut (2000a).

1. Needs for Ontological Security

Turner described *ontological security* as, "the sense of trust that comes from being able to reduce anxiety in social situations" (Turner, 1991; p. 532). The

workplace is one setting where people are involved in a complex set of social and individual interactions (Quinlan and Bohle, 1991). The author suggests that for people to be able to perform their work to the best of their ability, they require ontological security, or a feeling of trust that they are safe in their working environment. This is most likely to happen in a supportive work environment where the employees are able to devote their attention to the task at hand, rather than being concerned for their own personal well-being (mental and physical) at the workplace. In Australia, occupational health and safety legislation (for example, the Occupational Health, Safety, and Welfare Act, 1986, in South Australia) promotes such ontological security. Australian employers have a duty of care to provide a safe workplace for their staff.

2. Unconscious Motives

Giddens proposed that *unconscious motives* play an important role in actors being able to attain ontological security. This concept was further explained by Turner, "The basic 'force' behind much action is an unconscious set of processes to gain a 'sense of trust' in interaction with others" (Turner, 1991; p. 532). These unconscious motives also lie beneath our stock knowledge of how we should act in certain situations. "There are many pressures to act in certain ways that an actor does not perceive . . . much of what propels action lies below consciousness" (Turner 1991; p. 532).

3. Practical Consciousness

Practical consciousness is a term that refers to "the stock of knowledge that one implicitly uses to act in situations and to interpret the actions of others. It is this knowledgeability that is constantly used, but rarely articulated, to interpret events—one's own and those of others" (Turner, 1991; p. 531).

Each person within an organization brings with him or her to work a certain practical consciousness or stock knowledge of what constitutes appropriate workplace behavior. This stock knowledge forms a basis from which people undertake and interpret interactions with other staff and customers. It is possible that this stock knowledge may be modified by the requirements of the work tasks, peer pressure, or the culture of the workplace.

4. Discursive Consciousness

Discursive consciousness is the ability to talk about social conditions and behaviors. People within an organization could be expected to participate in discussions about workplace behavior. Furthermore, people could be expected to differentiate between behaviors that are appropriate and those that are not, the latter may include workplace bullying. Liefooghe and Olafsson (1999) reported that holding

group discussions about workplace bullying is a means of raising awareness, establishing a shared frame of reference, and reducing ambiguity about appropriate workplace behavior.

5. Social Systems of Interaction

Within society and within organizations there are discrete *social systems of interaction*. At the workplace, discrete groups might include individual work units and other groups, such as the staff social club. Each of these "systems" works in an individual way and may vary in tolerance to workplace bullying.

6. Regionalization–Routinization

Routines that people engage in and the territory they occupy are important in establishing and maintaining relationships at the workplace. When people work within an organization they become socialized into the routines of that workplace. Interruption of these routines may cause discomfort to a person's ontological security. For example, McCarthy et al. (1995) found that during organizational restructuring, managers adopted inappropriately coercive behaviors and many employees reported being bullied.

In addition to the routines with which people become familiar, people are usually given their own workspace within an organization. The workspace may be a place on the production line, a company vehicle, or an office. There are also generally designated areas for staff to take their breaks. These spaces and facilities for staff fall under the umbrella of regionalization as described by Giddens and Turner. Such separation enables people to maintain their own "space" and may to some extent enhance their ontological security. Encroaching on a person's physical or mental "space" at the workplace, and causing them distress when doing this, may constitute a subtle form of workplace bullying.

7. Structural Properties

Giddens described *structural properties* as "structured features of social systems, especially institutionalized features, stretching across time and space" (Giddens, 1984; p. 377). In many organizations, staff are consulted about the generation of a policy through discursive consciousness and are given the opportunity to provide feedback while the policy is in draft form. Such feedback is then generally incorporated, or at least considered, before the policy is released in its final form. At the time of the introduction of a new policy, a review date is generally set, at which time the policy is again circulated for comment and modification as appropriate. In this example, structure is a feature of the process; the system of consultation is sequential and crosses all sectors of the organization.

8. Structural Sets

Turner described *structural sets* as the "rule/resource bundles, or combinations and configurations of rules and resources, which are used to produce and reproduce certain types and forms of social relations across time and space" (Turner, 1991; p. 529). For the purposes of this investigation, structural sets are interpreted as rules and resources emanating from an organization or from within individual units of an organization, such as the Human Resources Unit or the Occupational Health and Safety Unit of a large organization. Each of these individual units would generate rules and policies that guide social relations within the organization. For example, the Human Resources Unit may develop a code of conduct or a no-bullying policy and accompanying grievance procedures.

9. Structural Principles

Turner has written that *structural principles* "are the most general principles that guide the organization of societal totalities" (Turner, 1991; p. 528). In addition, Giddens defined them as "principles of organization of societal totalities; factors involved in the overall institutional alignment of a society or type of society" (Giddens, 1984; p. 376).

In this study, structural principles are interpreted in several ways. Structural principles are, in part, organizational objectives and they reflect the purpose of the organization. Coupled with this interpretation of structural principles as organizational objectives is the suggestion that structural principles also include the values that an organization holds. In this way, structural principles are tied to organizational culture. However, Giddens cautions that contradictions in structural principles may occur and such variance may lead to ontological insecurity in employees.

A structural principle in relation to workplace bullying may be that an organization aims to become a bully-free workplace of its own volition. The principle in this case is to deal with the issue in a proactive manner (Crawford, 1999). In contrast, another workplace may decide not to do anything about workplace bullying unless required; for example, to comply with legislation. In this case, the structural principle is reactive, rather than proactive.

10. Rules and Resources

Organizations abide by the *rules* of the society in which they are located, and each individual organization has its own rules. In South Australia, employers are required to comply with legislative requirements of the Occupational Health, Safety and Welfare Act (1986).

Within all organizations there are explicit and implicit rules that guide peoples' behavior. Implicit rules describe the generally unspoken and unwritten

rules of the workplace (Hopkins, 2000). These rules might include some of the initiation rituals that workers sometimes use to "welcome" new staff. Explicit rules are those written policies that tend to govern organizational behaviors and norms.

Resources that might be mobilized to effect a no-bullying policy include staff time for the development of policies and procedures, and resources allocated for educating staff, including time to attend training sessions.

11. Structure

Giddens defined *structure* in the following manner: "Rules and resources, recursively implicated in the reproduction of social systems. Structure exists only as memory traces, the organic basis of human knowledgability, and instantiated in action" (Giddens, 1984, p. 377).

For the purposes of this study, *structure* is defined as the design of the management system of an organization, such as a flat or hierarchical design. Organizations with a traditional hierarchical management structure may provide particular opportunities for workplace bullying (Archer, 1999).

12. The Double Hermeneutic Principle

Structural change in organizations is likely to occur in response to pressures exerted by forces external to or from within an organization. Resch and Schubinski (1996) reported that organizational responses to workplace bullying were also likely to occur because of such forces. Internal forces to address workplace bullying may arise at various levels within the organizational structure; from senior management, from units concerned with staff welfare, or from groups of concerned workers. For example, equality of opportunity for women and people of color in the workplace has been a focus of public discussion for several decades. Subsequently, people across the globe of all races, ethnicities, and genders are now striving for equity and fairness in the workplace. The *double hermeneutic principle* underlies this process of new knowledge influencing social and structural change.

V. METHOD

This study employed a qualitative design. Three pilot interviews were conducted, which enabled the investigator to test the interview questions and make minor modifications before beginning data collection. Nine participants consented to partake in the interviews, each lasting approximately 1 hour. These interviews were audio-tape recorded and subsequently transcribed. One participant requested that the interview not be taped, but consented to notes of the conversation being

taken by the investigator. In all cases, typed notes of the interview conversation were returned to participants for their verification. Eight participants verified the accuracy of the notes, some with minor amendments and one respondent could not be contacted.

The findings of participants' perceptions of the problem of workplace bullying and recommendations for overcoming this problem are presented in the following discussion. Research findings were analyzed and interpreted within the context of extant literature addressing workplace bullying.

VI. RESULTS AND DISCUSSION

This section presents the findings from the interviews and discusses them in relation to the workplace bullying literature. The findings are presented in two discrete sections. First, the barriers to addressing workplace bullying and second, the ways to overcome them. Information from participants is generally presented in a summarized manner, but quotes from individual participants are included where appropriate.

A. Barriers to Addressing Workplace Bullying

All respondents spoke of the lack of consensus for a working definition of workplace bullying or the use of various definitions. This has been reported by many authors (Quine, 1999; Hoel et al., 1999; Zapf and Leymann, 1996; Victorian WorkCover Authority, 2001; The Queensland Bullying Taskforce, 2001). All respondents spoke of this being a barrier to addressing the problem. Some reported that a lack of definition meant that bullying was hard to identify, while others reported difficulty due to the subjective nature of the definition. The three respondents from the host organization used the same definition of workplace bullying, but all other respondents used their own organization's definition or interpretation of workplace bullying. Respondents also identified the need for organizations to establish ground rules for acceptable workplace behavior; not having such ground rules may be a barrier to addressing workplace bullying. Such ground rules fit with Giddens' concept of stock knowledge or practical consciousness. Turner (1991) stated that such stock knowledge was rarely articulated, and "acceptable workplace behavior," as respondents called it, was often not clearly articulated or discussed at the workplace. However, in the light of new knowledge about what is and is not acceptable, people are calling for it to be discussed and rules set. This is an example of the double-hermeneutic process at work.

Employers may be reluctant to admit that workplace bullying is a problem within their organization, either through not knowing that there is a problem or

through not wanting to acknowledge that there is a problem. Reluctance, for whatever reason, means that the organization will not deal with the problem. The reluctance to admit that workplace bullying is a problem has been reported in the literature by Einarsen (2000), who described the phenomenon of workplace bullying as an "organizational taboo."

Seeing the problem of workplace bullying as an individual matter, rather than an organizational matter is another barrier to overcoming the problem. Such a viewpoint is easily dismissed as a personality clash that the individuals must overcome thereby abrogating management of the responsibility to deal with it. All respondents saw the issue as an organizational matter, and this is supported by the literature (e.g., Archer, 1999; McCarthy, et al, 1995; Rayner, 1998; and Resch and Schubinski, 1996).

One of Turner's (1991) sensitizing concepts from Giddens Theory is (rules and) resources. Because resources are required to manage the problem of workplace bullying, not having the resources available to address the problem is a barrier. Several respondents spoke of the problem for small businesses in this regard. Interestingly, a costing model for proactive strategies that address workplace bullying has not been reported in the literature. Rather, the focus of extant research reviewed appears to be placed on reactively estimating the costs incurred by an organization as a result of workplace bullying (Sheehan et al, 2001).

Respondents spoke of various resources organizations had committed, or would need to commit, to address the problem of workplace bullying. The main resource commitment was described in terms of staff wages. Staff wages fell into four main categories. The first of these was the salaries of staff who were responsible for managing the bullying program within an organization. One respondent noted that this could include the time spent for constructing and analyzing a bullying questionnaire. The second related to payment of staff salaries while staff attending training sessions during work time and the cost of replacement staff to cover those times. Staff time taken in the consultative process would be included in this category. The third category related to the salaries of counseling staff who provide assistance to victims and perpetrators of bullying. The fourth category related to the cost of staff turnover as a result of bullying, in terms of recruiting staff to fill positions staff vacated and costs associated with loss of workforce skills. Related to these costs was the unproductive time spent by those involved in workplace bullying and their colleagues while dealing with the matter.

Other costs reported by respondents included Workers Compensation costs for staff that filed claims and training costs. One respondent commented that after a bullying incident, resources were sometimes spent on the bully, rather than on the victim.

A more clear understanding of the costs involved in workplace bullying was suggested by respondents as a catalyst for organizations to take the issue

more seriously and to motivate them to prevent workplace bullying. The difficulty of accurately measuring the costs of workplace bullying was noted.

Not knowing where to start to deal with the problem is a barrier, as is the fear of not going about it the right way. As one participant reported, there is no proven track record to follow, which renders those trying to deal with the problem unsure as to whether they are going about it the right way. The fact that the issue is "gray" rather than "black and white" is also a barrier. Many respondents remarked that two decades ago the problem of sexual harassment was also a "gray" issue. These respondents noted similarities in the difficulties of dealing with sexual harassment in the past and the current endeavors to address workplace bullying.

A bullying workplace culture is an additional barrier to overcoming the problem. This sort of culture can be hard to change and changing it (which involves changing the structural principles) is a long-term strategy (Barron, 1998). Top management has a key role to play in this respect and their lack of genuine commitment and support is considered a major barrier. Zohar (1980) reported the importance of such commitment in his study of workplace safety climate. Respondents suggested that organizations with hierarchical structures may be more difficult to change than those with a more participative management style. For example, Archer (1999) reported that paramilitary organizations may have a bullying culture without even knowing it.

Implicit rules at the workplace guide worker behavior (Hopkins, 2000) and reflect the culture of the organization as they represent "the way we do things around here." These unspoken rules may be barriers to overcoming workplace bullying. One respondent described two implicit rules: (1) being tough on people improved their performance, and (2) an unspoken rule about having to put up with workplace bullying. Another participant noted that competitiveness between staff encouraged workplace bullying and that this was a barrier to addressing the problem. Such implicit values or norms exemplify the structural principles described by Giddens (1984) and may provide very real barriers to reducing workplace bullying.

Fear is a means of undermining a person's ontological security, and it is a major barrier to overcoming workplace bullying. The malpractice of using fear as a managerial tool has been identified in the workplace bullying literature (e.g., Robertson and Lamm, 2000). People who fear the consequences of workplace bullying are unlikely to report it because they may perceive the reporting system to be unfair or fear for their future within the organization. Reports from the literature indicate that only 13% of those who report workplace bullying are happy with the outcome in Australia (Thomson, 1997) and in the United Kingdom (Rayner, 1998). Obviously, not having adequate policies and procedures or structural sets in place to deal with the issue of workplace bullying is a barrier to overcoming the problem.

Poor communication, poorly understood and conducted performance management, and having supervisory staff without skills to manage their subordinates are also barriers to managing workplace bullying. Workplace design issues (Resch and Schubinski, 1996) such as increased work intensity, competition between staff (Vartia, 1996), and restructuring (McCarthy et al., 1995) are reported as being conducive to workplace bullying. Thus, work practices may inherently serve as barriers to preventing workplace bullying and are aligned with the concept of routinization described by Giddens (1984).

In summary, there are a considerable number of barriers to addressing workplace bullying. To start with, there is a lack of clarity about what workplace bullying is and what constitutes acceptable workplace behavior. Lack of management commitment to address the problem and lack of education about the issue are both barriers to dealing with the problem. A large component of this problem is probably related to the fact that employers are not aware of the organizational costs of workplace bullying, which in itself is a matter of education. Workplace factors in the current employment climate, such as having to do more with less and competition in a climate of downsizing and restructuring, contribute to workplace bullying and are barriers to overcoming it. A lack of fairness and equity at the workplace pose additional barriers. The fact that there is no specific legislation mentioning workplace bullying is a further barrier to overcoming the problem. Moreover, once a victim lodges a claim he or she may be subject to further bullying by the system, creating one more impediment to overcoming bullying in the workplace (Barker and Sheehan, 2000).

B. Toward Best Practice in Managing Workplace Bullying

Participants in the study suggested several issues that need to be addressed and strategies for managing workplace bullying. These have been clustered in five groups and are shown in Figure 1. The first of these is the category of management strategies. All participants reported that management commitment is imperative to successfully deal with workplace bullying. Such commitment may be apparent in numerous ways. Management being open to the idea that bullying may exist within their organization and willing to address it are both required to manage workplace bullying. Management should encourage open discussion on workplace bullying and provide resources to address it. Resources may include the provision of a dedicated staff member to work on the development of policy and planning to address a no-bullying strategy. Consultation with staff is an essential part of this process.

Senior staff must model appropriate work behavior and not tolerate or encourage workplace bullying. Appropriate workplace behavior should be discussed at induction and be part of the promotion process. Disciplinary action should be undertaken as required, regardless of a person's position within the organization.

Management strategies for addressing workplace bullying
- ✧ Model appropriate behavior
- ✧ Encourage discussion about workplace bullying and acceptable behavior
- ✧ Commit to a strategy of staff development, education and training
- ✧ Commit resources
- ✧ Conduct a survey to determine the extent of the bullying problem
- ✧ Produce policies and procedures to deal with workplace bullying in consultation with staff
- ✧ Provide support services for those involved in bullying situations, these include bullying and harassment contact officers, employment assistance scheme
- ✧ Take complaints of workplace bullying seriously and act on them
- ✧ Incorporate information into induction and promotion procedures
- ✧ Encourage communication and group problem solving
- ✧ Conduct exit interviews

Staff development, education and training are important
- ✧ All staff to receive education and training about workplace bullying, bearing in mind there will be different education required for different staff
- ✧ Staff to be skilled in conflict management, problem solving and communication
- ✧ Special attention should be paid to supervisor training and support, and their evaluation
- ✧ Specific staff training around the issue of performance management
- ✧ Specific training for bullying and harassment contact officers, health and safety representatives
- ✧ All staff to know what to do if they are bullied, clear processes, both informal and formal

Beyond the workplace
- ✧ For those who may provide support to people involved in the bullying experience (victims, alleged perpetrators, supervisors, employers)
- ✧ Specifically, the professionals and agencies.

Clarification of issues related to workplace bullying
- ✧ Clearly define what constitutes acceptable and non-acceptable behavior
- ✧ Management should be expected to model acceptable behavior
- ✧ Clear roles for support personnel including contact officers and health and safety reps
- ✧ Clearly defined support mechanisms
- ✧ Clearly defined steps for what to do if bullied (informal and formal)
- ✧ Clearly defined disciplinary procedures

Beyond the workplace
- ✧ A legislative approach may help
- ✧ Professionals and agencies to be clear about how best to support people and organizations involved in workplace bullying

Workplace and employment issues that relate to workplace bullying
- ✧ All staff to be valued for the contribution they make at the workplace
- ✧ Staff retention is an organizational goal
- ✧ Attention to be paid to workplace stressors and competitive practices

Fairness and equity
- ✧ Acceptable behavior expected from all employees, regardless of position
- ✧ Fair delegation of tasks
- ✧ Both victims and alleged perpetrators are given a fair hearing
- ✧ Short time frames set to address bullying problems

Figure 1 The way forward: a summary of key factors contributing to best-practice management of workplace bullying

Training and education were identified by respondents as key factors in addressing the problem of workplace bullying. A culture of staff development, education, and training is an important context from which to address workplace bullying. Workplaces that take on this role are presumably open to the idea that workplace bullying may be a problem within their organization. Workplace cultures described by Hudson (2001) and Reason (1998) as generative are likely to be proactive in this regard. A number of other authors have supported the requirement for staff education about the issue of workplace bullying (e.g., McCarthy et al, 1995). Managers require training in leadership skills, and both health and safety representatives and bullying and harassment contact officers require training about their role in addressing workplace bullying (Resch and Schubinski, 1996).

Consultation with staff is important from a number of perspectives. Sharing with staff that bullying may be a problem is a brave initiative for management to take. The importance of raising awareness and developing acceptable standards of behavior in consultation with staff has been highlighted (Liefooghe and Olafsson, 1999; Resch and Schubinski, 1996). Clarke (2001) advised workplaces to anticipate that some staff attending workplace discussions about bullying may require counseling following the session and that the organization should develop strategies for this in advance. The need to have counseling strategies in place before conducting workplace discussions on bullying was not clearly identified by interview respondents, although it is noteworthy that the host organization did have an Employee Assistance Program for staff.

Respondents had some interesting examples of spaces (the sensitizing concept of regionalization) in relation to addressing workplace bullying. Responses fell into two broad categories: psychological spaces and physical spaces. Psychological spaces include providing private and confidential counseling services for staff. Counseling sessions may be conducted during or outside of work time, on the premises or outside the workplace. Workplace bullying and harassment contact officers also offer a mechanism that provides a psychological space for employees to air grievances, rather than having to raise the issue of bullying with their supervisor, who in some cases may be the perpetrator. One respondent spoke of Green Zones—a situation or space set up in advance where management and staff could discuss contentious issues without fear of future recrimination. Physical spaces were similarly perceived to be an important factor in promoting ontological security for employees. These spaces provide safe havens in which staff may be counseled or disciplined with privacy, and provide a room dedicated to address other staff needs. These needs may include a room in which to take a short break, socialize with peers, or privately discuss issues of a sensitive nature with colleagues.

Policies and procedures, or structural sets, addressing bullying in the workplace need to be in place. Such policies should clearly define what bullying is

and procedures should articulate the steps to take should bullying occur. However, successfully addressing workplace bullying, requires more than simply having policies and procedures in place. It must be made clear to all staff that management will act if bullying occurs, regardless of who the perpetrator is. "Actions speak louder than words," as one participant said. Responses to allegations of workplace bullying must be conducted in a timely manner. The consensus of respondents was that one would ideally try to prevent bullying from occurring. But if it does occur, intervention must be swift in order to reduce the likelihood of long-term trauma (Brodsky, 1976; Leymann and Gustafsson, 1996).

Support systems must be in place for those involved in workplace bullying. Moreover, staff must be aware of them, know how to use them, and have confidence in using them if and when required. A sensitive and confidential approach is essential, as reported by over half the participants.

Beyond the workplace, there are factors that may influence how workplace bullying is managed at an organizational level. First, most respondents mentioned that a legislative requirement to address workplace bullying would be of great assistance. The professionals to whom victims of workplace bullying may turn need training and education. This need for training was highlighted by Barker and Sheehan (2000) who interviewed bullied victims who had pursued legal avenues. These victims had mixed reports about the amount of support they received from their lawyers. Those victims who did not feel supported felt that the lawyers did not really understand workplace bullying as an issue.

Best-practice case studies were suggested by one respondent as a way to assist other organizations deal with workplace bullying. The suggestion was that showcasing organizations that are successfully managing the problem would help those struggling to deal with it. Furthermore, it would avoid the need to "reinvent the wheel." Unfortunately, the literature describing organizations that have successfully addressed workplace bullying is sparse (Crawford, 1999), although there are numerous suggestions for intervention strategies that have not yet been evaluated.

VII. CONCLUSION

In summary, just as there are many barriers to managing this problem, there are many ways to address workplace bullying. To successfully manage workplace bullying, one must be aware of the difficulties associated with preventing it from occurring and best practices for dealing with the problem when and if it occurs. It is suggested that a two-pronged approach is required; one aspect devoted to matters within the workplace and the other to external factors. Participants indicated a number of strategies that could be used in a best-practice approach to managing workplace bullying. The steps toward best practices have been grouped

under five main themes. These themes are (1) management commitment to addressing the problem; (2) encouraging staff development and education; (3) clarifying the issue; (4) paying attention to workplace and employment issues; and (5) an underlying principle of fairness and equity. These themes have application in proactive or preventive strategies, before bullying becomes a problem, and also in remedial strategies to manage problems that have surfaced. It is suggested that issues beyond the workplace, such as legislation, are also influential on how workplace bullying is managed within an organization. Finally, it is hoped that the findings of this study provide a way forward for organizations and individuals involved in addressing the problem of bullying at the workplace.

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8

Political and Administrative Roles in School District Governance

Conflict or Cooperation?

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I. INTRODUCTION

It has been argued that "education is one of the most thoroughly political enterprises in American life" (Bailey, 1962; pp. viii). Nonetheless, extant literature does little to provide insights into the nature of relations between political and administrative roles and its relation to conflict in local education governance. Consequently, this study identifies where political and professional leadership and control is connected and where it is separated in the processes of urban and rural education governance. Conclusions are then drawn concerning the nature of and extent to which superintendent–board relations are conflicted and are cooperative.

School boards are significant governmental units because of their numbers, the sums of money they raise and spend, and the importance of their programs and policies. Although school boards are representative bodies, they frequently defer to the professional expertise of the superintendent and choose the "best" educational policies regardless of community preferences (Greene, 1992). Because of the conflicts between a reliance on professional expertise and concerns for electoral accountability, "school boards behave like typical schizophrenics. On the one hand, they willingly (indeed eagerly) give power away to the experts. . . . On the other hand, they espouse an ideology of lay control" (Zeigler, 1975;

p. 8). It appears that school boards attempt to act as "professional" organizations by relying on the expertise of the superintendent, while simultaneously attempting to present an image of democratic governance.

School boards are at best nondemocratic and at worst obsolete. The lack of democratic process is defined by inadequate levels of community representation on the board, insufficient levels of community participation in the electoral and decision-making processes of the board, and the lack of board responsiveness to community concerns and preferences (Zeigler, et al., 1974). Obsolescence of the local board of education is largely attributed to the changing demographics, economics, technologies, political preferences, and diverse social values of American communities that have collectively outgrown the traditional institutional arrangement used in education governance for almost two centuries (Finn, 1991; Sarason, 1995). As a result of these problems, the role of school board members—what they do and how they do it—is ambiguous. The lack of role clarity of school board members has contributed significantly to the failure in local American education governance and resulted in over-reliance on the professional administrator in substantive policy decisions (Task Force on School Governance, 1992).

School board members are increasingly accused of deferring to the expertise of the superintendent in matters of substantive policy, while simultaneously encroaching on the administrative responsibilities. Similarly, district superintendents are increasingly accused of encroaching on the policy responsibilities of the board (Task Force on School Governance, 1992). Shifts in social control, changing public demands and perceptions of the public interest, intergovernmental intervention, and conflicting role expectations serve to complicate and blur the processes of local education governance. Research in local education governance largely describes the behaviors of school officials as polarized extremes of political (conflictual) or professional (cooperative deference to administrators) patterns of interaction (Boyd, 1976). However, the institutional and environmental factors affecting official behaviors have not been sufficiently incorporated into the literature to aid in explaining the reasons for political or professional control.

While differences in role expectations between elected and appointed officials could lead to increased conflict (Loveridge, 1971), encroachment into the respective domains of elected and appointed officials may be alternatively based on shared values and goals that result in cooperative patterns of interaction (Svara, 1985; 1990). Moreover, the superintendent–board arrangement is analogous to council–manager form of city governance (Stillman, 1974; Zeigler, et al., 1985), and this arrangement may serve to insulate elected officials from the pressures of community conflicts and promote responsiveness to community needs as perceived by political leaders, rather than responsiveness to demands articulated by local citizens (Svara, 1990, pp. 213–214). Thus, arguments for an active policy

leadership role by professional administrators in local school district governance may be legitimate.

Arguments for the legitimacy of administrative discretion are rooted in the neutral expertise of the public administrator, combined with the ability of administrative processes to protect individual rights (Nalbandian, 1990; p. 657). Citing Svara (1985; 1990), Nalbandian (1990; p. 655) argues that "politics and administration cannot be viewed as separate spheres of action in governance," although clearly defined roles for elected and appointed officials may exist.

To illustrate this point, four basic rationales are offered by city and county managers to justify their discretionist activities in the policy dimension of governance. First, in the event of a political failure or void created by the governing body, such involvement is viewed as a nonpolitical means to include community interests and ensure rational decision making. Second, policy-related activities are conducted out of public view to protect the public perception of the governing body. Third, since elected officials determine the acceptable parameters for administrative discretion, local administrators view themselves as operating within these guidelines. Finally, administrative involvement in policy-making is justified because the elected body is ultimately responsible for the manager's actions. If that body does not desire this type of behavior, the manager may be forced to seek employment elsewhere (Nalbandian, 1990; pp. 655–656).

As administration has crept into politics, so too has politics encroached into administration. Administrative processes have become systematically responsive to community interests even as managers may seek to resist interference from political leaders and citizens (Nalbandian, 1990; pp. 656–657). There are, however, internal and external constraints imposed on administrative discretion to prevent such power from becoming absolute. Ethical obligations create internally imposed limits on administrative discretion, whereas preoccupation with desires for "money, prestige, status, position, and power" reflects the external forces that constrain discretionary behavior (Cooper, 1987; p. 322). Institutional complexities and constitutional norms also preclude administrative discretion from becoming absolute (Fox, Cochran, 1990; p. 266).

Research concerned with political–administrative relations in local governance often addresses conflicts over power. When cooperation is the norm, it usually results from clear role definitions or shared role expectations among the actors. For example, Svara (1985; p. 230) found that "conflict is not inevitably the underlying condition" in local governance and argues that it is possible to balance discretion and control for both elected and appointed officials when a framework that clarifies the appropriate divisions of responsibility is supported by the actors involved. In contrast, Loveridge (1971) found divergent expectations of roles in his classic study of city managers. Although many managers in the latter study viewed themselves as active participants in policy formation, many council members expected their administrators to perform in a more technical

sphere of responsibility. Loveridge cautioned that such differences in role expectations could result in increased levels of conflict.

Similarly, conflict and conflict avoidance are leading themes in the professional education and socialization of school superintendents. These public administrators are "scientifically enlightened" to pursue "effective and efficient means of social control" (Karier, 1973; p. 306). However, vulnerability to elected officials who control the employment contract may be the most significant factor inhibiting political behaviors of school superintendents.

Public administrators surely do not simply propose policy recommendations that reflect local values nor do they formulate policy based solely on professional values. The processes of governance are more complex than that. Therefore, this study examines the factors that influence political–administrative relations in local education governance and determines whether and to what extent conflict or cooperation is the behavioral norm among school district superintendents and their boards.

II. THE POLITICAL–ADMINISTRATIVE CONTINUUM

The theories of institutionalism (March, Olsen, 1989) and structuration (Giddens, 1979) provide a broad context within which a holistic examination of the dynamics of school board governance may be explored. These theories posit that political life is ordered by three processes: (1) education through rules and the communication of meaning; (2) indoctrination through socialization and the exercise of power; and (3) experience through the evaluation and judgment of conduct. Institutional rules and structures transcend individual needs and may protect against or transform social influences through education. The logic of appropriateness dictates institutional response in a specific situation, determines the institutional role being fulfilled, and identifies the obligations of that role in the given situation. Although the theoretical models of structuration and institutionalism allow for order, stability, and predictability, they also afford the opportunity for institutional flexibility and adaptability through the legitimation of expert advice in response to changing demands. The logic of rationality, consequentiality, or individual will may be used to justify actions after the fact; however, conflict is best resolved through open discourse rooted in trust (March, Olsen, 1989; pp. 147–149; Giddens, 1979; pp. 145–150). Institutions educate citizens by helping them understand the institutional reasons for behavior through sharing knowledge of the behavioral rules and the moral and intellectual virtues of the governing body. Thus, in more autonomous institutions, professional administrators are likely to adopt the role of educator by promoting and accepting changing ideologies, redefining meanings, and generating commitments to transform the preferences of both leaders and followers (Selznick, 1957; 1996).

The process of indoctrination deals with the duties and rights associated with role relationships. The respective roles of citizens, public administrators, and elected leaders in the political process are determined through shared meanings, preferences, and assumptions about the obligations each role has to the other roles. In less autonomous institutions, the professional administrator acts as a broker by providing information, identifying possible coalitions, and facilitating logrolling (March, Olsen, 1989; p. 163). To the extent professional standing, reputation, knowledge of alternatives, and attention to issues are affected by the institutional distribution of resources, the distribution of institutional power also affects the power of political actors, which affects, in turn, the political process and institution. Structural domination is achieved through the unequal distribution of resources and may result in the capacity to transform outcomes to match the preferences of dominating actors (Giddens, 1979; pp. 92–93). However, a balance between institutional autonomy and desires for popular control can work successfully because of the institutional limits imposed by rules and the need for mutually trusting roles among institutional actors (Giddens, 1979; March, Olsen, 1989).

Theories of institutionalism and structuration view experience as the history-dependent intertwining of stability and change. A shared history, valued way of life, definition of the common good, and a common understanding of the rules for appropriate behavior and morality are evolved over time and based on prior action. However, because institutional adaptation tends to lag behind environmental change and institutions gain competence within existing norms, the disparity between incremental efforts to adapt to ever-changing social demands and social expectations for institutional change increases (March, Olsen, 1989, p. 168). Thus, a narrow focus on technical competencies leads to institutional stability while simultaneously creating instability in political leadership.

For example, although members of an elected school board may be replaced and internal processes may change as a result of political discontent, the institution of school boards is likely to remain in tact. Prior experience of the institution itself is likely to inform new institutional structures, roles, and rules. Although adaptation is slow and such radical change leads to uncertainty, the social desire for change counterbalances institutional stability and forces new learning (Giddens, 1979, p. 114; March, Olsen, 1989; p. 169).

A. The Dichotomy–Duality Model

Svara's dichotomy–duality model (1985; 1990) identifies four dimensions of the governmental process and highlights the areas in which political and professional responsibilities are separate and where they are connected (see Fig. 1). According to the logic of this model, determining the mission of the organization is a political responsibility to be undertaken by elected officials. Within the realm of local
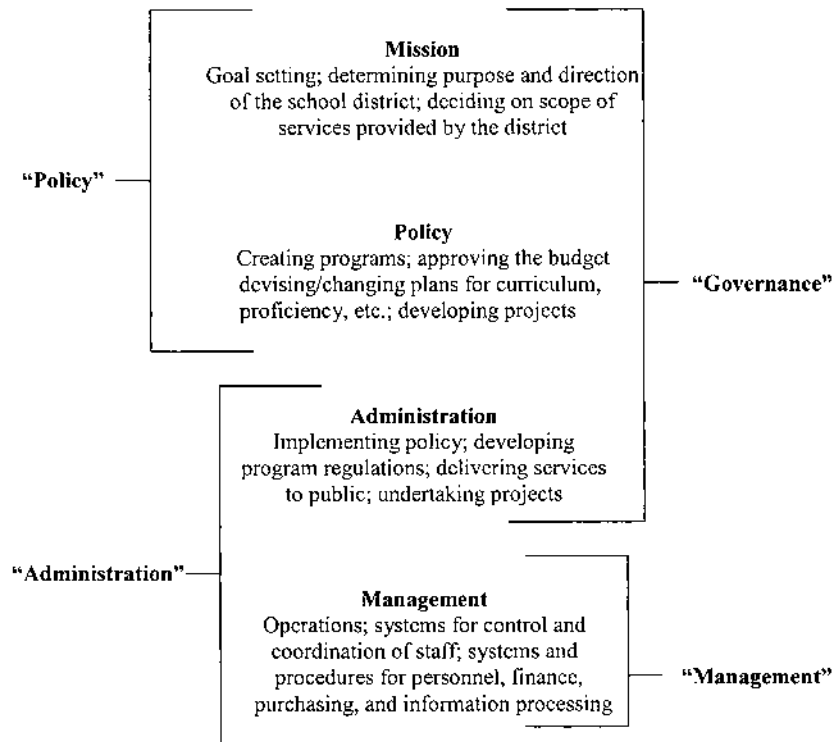
Figure 1 The dichotomy–duality model: four dimensions of the governmental process (From Svara, 1990; p. 14).

education, school board members are tasked with this responsibility (Colorado Association of School Boards [CASB], 1993; p. 9).

The work included in the policy and administration dimensions of the model are shared, to some extent, between elected and appointed officials and are considered midrange in scope. Examples of policy decisions made in local education governance include the approval of line-item budgets, deciding the pupil and teacher goals for district schools, and deciding which extracurricular activities to offer students. And the management function in conducting government business is deemed the responsibility of the professional administrator and, as such, is perceived to be separate from the processes of governance.

Administration, the last dimension included in Svara's definition of governance, refers to the actual implementation of policy decisions. Implementation

includes making the arrangements necessary to deliver the services and operate the programs such that they are consistent with the intended purposes of approved policies. As Majone and Wildavsky (1973) argue, implementation shapes policy. Therefore, the extent to which members of the district staff correctly interpret and apply the values of local citizens and make incremental adjustments to modify policy in its implementation may serve to reduce conflict within the district. In explaining how the dimensions of policy and administration are, to some extent, shared between elected and appointed officials in local governance, Svara states that "the purpose of programs does not originate in administration, although purpose is shaped by it" (1990; p. 16). Examples of administration in school districts include selecting textbooks to use in the school system, deciding where to deposit school system funds, and investigating citizen complaints.

Although the management dimension of the governmental process is no less significant than the other dimensions, it is considered to be apart from the processes of governance in Svara's model. The management function is primarily concerned with the acquisition, development, and evaluation of personnel; financial control and information systems; and procedures for performing specific tasks. By successfully acquiring, developing, and controlling resources, the management function can serve to ensure that established institutional goals are met (Svara, 1990; p. 17). Examples of the management dimension of work within the local school system include hiring and evaluating the performance of district staff, authorizing specific expenditures from allocated funds, and acquiring the tools to measure student proficiency.

B. A Typology of Roles in Local Governance

The Loveridge model (1971; pp. 53–59) identifies four predominant roles that describe corresponding levels of perceived leadership in governance: Political Leaders, Political Executives, Administrative Directors, and Administrative Technicians (Fig. 2). Loveridge argues that owing to professional ethos and similar patterns of education, socialization, and professional recruitment, most city managers identify with one or another of the four roles described in this typology.

Political leaders view themselves as policy change agents who are more than willing to advocate actively on behalf of the public interest and, to that end, assume the broadest perspective of their role in the policy arena. Political Leaders are willing to gain support for broad program initiatives by soliciting issue-specific votes from members of the governing body. As such, the role of the political leader is closely aligned with the mission dimension in the dichotomy–duality model of governance.

Political executives also believe they should actively participate in the policy process, but tend to do so to a lesser degree than political leaders. The behavior

Political Leaders
Change agents; broadest view of policy role; political readiness to act as an advocate on behalf of good government and the public interest; active in policy

Political Executives
Policy innovators; pragmatic approach; willing to take mid-level risk in influencing policy decisions; tempered political readiness to lead publicly

Political Roles —

Administrative Directors
Defers to educational expertise in policy decisions; reluctant to act as an innovator or open leader; tension between activism and restraint; only active in policy decisions "behind the scenes"

— **Non-Political Roles**

Administrative Technicians
Narrow policy role with emphasis on administrative or maintenance functions; assume subordinate, advising role; curators of established goals; separation of policy and administration

Figure 2   A typology of roles in local governance (From Loveridge, 1971).

of political executives is tempered by prior experience or the political environment that usually results in a reluctance to take significant risks. Political executives tend to take a more pragmatic and less altruistic view of their role than do political leaders. The political executive correlates with the policy dimension of governance in Svara's model.

Administrative directors reflect a sense of ambivalence in the policy arena. Although these managers generally support the notion that administrators should be active in the policymaking process, they tend to focus on the factors that constrain their ability to do so. Consequently, administrative directors are reluctant to act as policy innovators or open leaders and, as such, are aligned with the administration function in Svara's model.

The least politically oriented role identified in this model is that of the administrative technician. Administrative technicians assume an extremely nar-

row policy role characterized by a focus on managerial functions. As the "curators of established goals," administrative technicians advise in policy matters, but are unlikely to propose change. Consequently, administrative technicians correlate with the management dimension of the governance process in the dichotomy–duality model.

Taken together, Svara's (1985; 1990) dichotomy–duality model and Loveridge's (1971) role typology serve as useful tools to analyze the behaviors and identify the predominant roles of elected board members and superintendents, respectively, in school district governance. However, to the extent these models focus on describing what officials do, but largely ignore how or why they embrace such behaviors within the context of different problems or circumstances, additional insight is required to adequately assess the nature of the relationship between politics and administration in local education governance. Thus, institutional and environmental influences are explored to enhance understanding the cooperative–conflictual nature of superintendent–board relations.

III. METHODOLOGY

This exploratory case study applies qualitative methods that incorporate generally accepted standards of rigor and procedure (Schatzman, Strauss, 1973; Miles, Huberman, 1984; Lincoln, Guba, 1985; Merriam, 1988; Marshall, Rossman, 1989; Neuman, 1991; Creswell, 1994; Holstein Gubrium; 1995). As such, this inquiry "reveal[s] the properties" (Guba, Lincoln, 1981; p. 371) of the actors, environments, and behaviors operating in the processes of governance within the institutionalized setting of local school boards.

The research sample consists of one urban and one rural school district in the state of Colorado, as district type and size have been highly correlated with behaviors in local school governance (Cistone, 1975). Because suburban school districts may include at least some characteristics of urban or rural districts, the exclusion of suburban districts from the sample allows for sharper distinctions in analysis.

Recorded observations of public school board meetings, questionnaires, and in-depth interviews were conducted over a 6-month period during 1997. An unusually high response rate of 86% was achieved by administering the questionnaires just before conducting the interviews, rather than relying on respondents mailing their responses. Secondary data gathered from archival records pertaining to the 4 years immediately preceding this study were used to ensure the behaviors identified in field observations were not unique to that point in time and by providing insight into the processes of "knowledge creep" (Weiss, 1977).

IV. SELF-PERCEIVED ROLES AND ROLE BEHAVIORS

With application of the conceptual dichotomy–duality model (Svara, 1985; 1990) and the typology of role behaviors (Loveridge, 1971) in local governance, analysis of questionnaire and interview results indicate significant differences between levels of involvement by administrators and lay boards in urban and rural environments.

A. Superintendent Roles

The findings presented in Table 1 show that while both superintendents are involved in the mission dimension of governance work, the urban superintendent takes a more active role by handling entirely the job of setting the direction or mission of the school district. As such, the urban superintendent assumes the role of political leader within the mission dimension of governance by demonstrating political readiness to act as the guardian of the public good and participating actively in policy formulation (Loveridge, 1971; pp. 53–54). Aligned with this paradigm, the urban superintendent describes his role primarily in terms of leadership and implied resistance to institutional and professional boundaries:

> I know I have leadership ability; I was born with it. But I've also taken an interest in being a leader. I'm more interested in leadership and making a difference rather than just being the superintendent, per se. (Urban Superintendent [us])

Because the political leader assumes such an active role in shaping policy through mission innovations, the urban superintendent does not need to dominate in the policy dimension. Additionally, the urban superintendent indicated that he

Table 1 Superintendent Role Behaviors and Levels of Involvement in the Four Dimensions of Governance Work

Actor	Mission *Involvement/ role	Policy *Involvement/ role	Administration *Involvement/ role	Management *Involvement/ role
Urban superintendent	1 Political leader	3 Admin. director	2 Political exec.	3 Admin. director
Rural superintendent	2 Political exec.	2 Political exec.	3 Admin. director	4 Admin. technician

* Levels of involvement: 1 = handle entirely; 2 = leading or guiding; 3 = Advising or reviewing; 4 = minimal or routine review; 5 = not involved.

preferred not to tangle in the political mix of policymaking—as opposed to policy shaping—and, in the former process, deferred to the board's political authority. This attitude and behavior is consistent with that of Loveridge's administrative director (1971; 55).

The rural superintendents also seeks to provide leadership in their role as chief administrators. However, they appears more sensitive to the nature of the employment contract they have with the board. In contrast to the urban superintendents' self-reported autonomy in setting the direction for their districts, the rural superintendents describe their role in the mission and policy dimensions of governance as that of a "servant–leader." This servant–leader analogy is consistent with the pragmatic perspective of the political executive (Loveridge, 1971; pp. 54–55). Given his professional experience and the realities of the political environment, the rural superintendent tempers the extent to which he exercises active leadership within the mission and policy dimensions of governance. The following narrative provides insight into the reasons for the tempered behavior of the rural superintendent, while simultaneously highlighting the significance of employer–employee relations:

> Last summer, because of the [strained relationship with his staff] and because of some bad decisions he had made—he knew it and admitted to it—we downgraded him in his review and listed specific areas of performance that we wanted to see improved upon during the year. (Rural Board Member [rbm])

According to the logic of the dichotomy–duality model, the work of administration centers on implementing policy decisions made previously (Svara, 1990; p. 15). Within this sphere of activity, the urban superintendent assumes the role of political executive, whereas the role of administrative director characterizes the behavior of the rural superintendent. As the political executive, the urban superintendent is realistic about what can be achieved and is only moderately willing to "stick his neck out" (Loveridge, 1971; p. 54) to affect policy innovation motivated by real or potential problems of implementation. Thus, the urban superintendent appears to pick his battles carefully with both his staff and the board. On the other hand, findings of the rural superintendent's behavior in administration indicate a "tension between activism and restraint" that is more negatively based. As the administrative director, the rural superintendent tends to emphasize "constraints rather than problems" in policy implementation. As such, he is likely to blame the board for approving a policy that is difficult or impossible to implement, or to blame the administrative staff for not successfully carrying out policy directives (Loveridge, 1971; p. 55).

As previously noted, the management function is primarily concerned with acquiring, developing, and controlling resources to ensure that established institutional goals are met (Svara, 1990; p. 17). While performing as the administrative

director in the management sphere, the urban superintendent assumes the behaviors previously noted to characterize this role. That is, the urban administrator stresses constraints, rather than problems when attempting to manage the resources of the district. On the other hand, findings indicate the superintendent of the rural district assumes the role of administrative technician in the management dimension of work. As such, he serves as the "curator of established goals," perceiving a clear separation between politics and administration in this sphere of responsibility, and acts as a staff advisor to facilitate effective management of district resources (Loveridge, 1971; p. 56).

These findings suggest that while there are differences between urban and rural superintendents' self-perceived roles, differences in behaviors are more a matter of degree than of kind. Although both administrators assume actively political roles in the mission dimension of governance and, like Nalbandian's (1990) idealist manager, believe such leadership is necessarily appropriate, a weaker political orientation on the part of the rural administrator is evident when compared with the urban superintendent's stronger predilection to lead. The findings relative to administration and management similarly suggest the behaviors of the rural administrator are more restrained than those of his urban counterpart. And although the urban superintendent is less actively involved in policy than the rural superintendent, this behavior may be explained by the urban administrator's relatively autonomous role in determining the mission of the school district, combined with an apparent desire not to directly interfere with the policymaking processes of the board.

B. Board Member Roles

Findings of board member behaviors complement the role behaviors identified for the urban and rural superintendents, respectively. Table 2 presents the findings

Table 2   School Board Member Role Behaviors and Levels of Involvement in the Dimensions of Governance Work

Board type	Mission *Involvement/ role	Policy *Involvement/ role	Administration *Involvement/ role	Management *Involvement/ role
Urban board	2	3	3	3
	Political exec.	Admin. director	Admin. director	Admin. director
Rural board	3	4	3	3
	Admin. director	Admin. tech.	Admin. director	Admin. director

* Levels of Involvement: 1 = handle entirely; 2 = leading or guiding; 3 = advising or reviewing; 4 = minimal or routine review; 5 = not involved.

of school board members' self-reported role behaviors in the sample districts. Because two rural board members chose not to participate in this portion of the study, data for the three remaining rural board members are presented herein.

The urban board collectively assumes the role of political executive in the mission dimension of governance. As such, political restraint is the behavioral norm assumed by the urban board in determining the mission of the school district (Loveridge, 1971; pp. 54–55). In contrast, findings of the rural board's collective administrative director role behavior in the mission arena, and its inherent focus on constraints, suggest they may feel inadequately informed or lack the resources necessary to take a more active role in determining the rural district's direction (Loveridge, 1971; p. 55). The issues of constrained knowledge and resources as expressed by several board members during interviews may also explain the role adoption, by both the urban and rural boards, of administrative director in the administration and management dimensions of work. These expressions of concern about the availability and accuracy of information provided them by administration support the findings of a study conducted by the Institute for Educational Leadership (IEL) that reported "when board members feel they are ill-informed by the superintendent or central staff, they may conduct their own searches" for information (IEL, 1986; p. 30).

The nonpolitical role of administrative director is also evident in the findings of the urban board's behaviors in the policy sphere of governance, although the rural board assumes the least political role of administrative technician in this work dimension. Combined with deference to the superintendent in determining their district's mission, both boards appear to rely heavily on their respective chief administrators to establish district goals.

When questioned directly about how board members perceive their roles, most respondents provided the pat answer of being responsible for the mission and policies of the district. Although significantly more revealing insights are gained throughout this analysis, the initial responses of two urban board members offer useful perspectives:

> I like to think of it as a steward of the public. And part of that is to act as a bridge between the people, and the administration, and all the employees of the district; to hold them accountable for the clientele of the district, or try to. And at the same time, we have to work with them as a partner, if you will—an advocate, a cheerleader, and sometimes a thorn in their side (Urban Board Member [ubm]).

> We're not professionally qualified to direct and make some decisions. That's the beauty of a board . . . the questions we ask because we're not inside the box. It doesn't take a very astute person to ignore the rules and the parameters to think outside the box. But it takes a brilliant person, in my mind, an astute person to look inside the box—look at the rules, look at the regulations, look at the parameters—and then get an answer that's outside of there (ubm).

C. Superintendent–Board Role Relations

Comparison of the respective role orientations of the superintendents and board members in the sample urban and rural districts reveals a lack of board leadership in the mission dimension of governance in both environments (Table 3). However, reduced political activity by the board appears to be compensated for and complementary of the corresponding roles assumed by the respective sample urban and rural superintendents. Several key points of analysis clarify this line of thinking.

First, where the urban superintendent acts as the political leader in determining the mission, the urban board assumes the subordinate role of political executive. Second, the nonpolitical role of administrative director assumed by the rural board in mission is similarly complemented by the rural superintendent's more active role of political executive. Third, this kind of complementary role orientation between the superintendent and his board is also noted to exist within administration in the urban district and the policy sphere in the rural setting. Fourth, the role of administrative director is shared by both the superintendent and the board within the policy and management dimensions of governance in the urban setting, in addition to the administration function in the rural environment. Fifth, the rural board is more actively involved than their superintendent in the management arena and, as such, may have a propensity to micromanage the business of government to compensate for low levels of direct involvement by the chief administrator. Finally, in both the urban and rural settings, the superintendent dominates in two of the three dimensions of governance identified in Svara's

Table 3 Superintendent/Board Role Behaviors and Levels of Involvement in the Four Dimensions of Governance Work

Actor	Mission *Involvement/ role	Policy *Involvement/ role	Administration *Involvement/ role	Management *Involvement/ role
Urban setting				
Superintendent	1	3	2	3
	Political leader	Admin. director	Political exec.	Admin. director
School board	2	3	3	3
	Political exec.	Admin. director	Admin. director	Admin. director
Rural setting				
Superintendent	2	2	3	4
	Political exec.	Political exec.	Admin. director	Admin. technician
School board	3	4	3	3
	Admin. director	Admin. tech.	Admin. director	Admin. director

* Levels of involvement: 1 = handle entirely; 2 = leading or guiding; 3 = advising or reviewing; 4 = minimal or routine review; 5 = not involved.

(1985; 1990) dichotomy–duality model. These findings suggest that the urban and rural superintendents have adopted a more active, political, leadership role in school district governance than that of their respective boards and, given the largely subordinate and complementary roles assumed by board members, relations between politics and administration are relatively cooperative in both sample settings.

These findings support the results of the Loveridge (1971) study which reported a mixed, but distinct, political orientation in the role behaviors of city managers. However, whereas the Loveridge study reported that "more than eight out of ten city councilmen agree on an administrative policy orientation (director or technician)" as the desired behavior for their chief administrator (1971; p. 87), the findings of this study suggest both urban and rural school board members desire a distinctly more political policy role for their respective superintendents.

Similarly, Svara's (1985; 1990) conception of political and administrative relations in governance is only partially supported by the results of this investigation. Although Svara views the mission dimension of governance as the responsibility of the elected body (1990; p. 15), the self-reported behaviors of both sample superintendents clearly contradict this contention. At the other end of the spectrum, the shared involvement in management by the urban board and administrator, and the rural board's more active role in management than that of their superintendent are both in direct opposition to Svara's view that this work dimension is purely a function of the chief administrator and his staff (1990; p. 17). Thus, while findings of role behaviors in the midrange dimensions of policy and administration are consistent with the dichotomy–duality model's reflection of shared political–administrative responsibility (Svara 1990; p. 15–16), the results of this study do not support Svara's dichotomous role definitions in the mission and management dimensions of local governance.

The superintendents' apparent predilection to control local education governance and the board members' apparent willingness to defer to professional expertise suggests a relatively harmonious relationship between politics and administration in both the urban and rural settings. Although maintaining positive relations may be trying at times, the superintendents and board members appear relatively happy with the nature of their respective relationships. It is interesting that, in the following narratives, both superintendents couch their descriptions of relations with the board in terms of managing the diversity of the board, whereas most board members address the leadership and authority of their chief administrator. First, in the words of the superintendents:

> I think it has to be a symbiotic relationship where we're in this together. Their performance is important to my success because my responsibility is, I think, to make the board look good. While I work for the board, I also try to make the board look good as a team. I provide them tremendous amounts of information based on a desire to know. And try to provide them all with

the same information so no one knows more than the other. And I think it's very important that the relationship be harmonious, if possible, and that's not easy. Seven different people, some with different agendas. . . . (us)

I think it's a real good relationship. It's not a board that's contentious, it's not a board that has hidden agendas, or agendas that they're trying to do on their own. And I think the main thing that is they really do have the best at heart for the kids. But they're very different. I've got two board members that I would consider to be religious right, I've got one board member that I would say is more the opposite, and then two kind of in the middle. (Rural Superintendent [rs])

And from the relational perspective of representative urban and rural school board members:

I have a very strong opinion about [the role of the superintendent]. His job is to lead. It's as simple as that. He should provide the board with alternative ways of seeing things. I have a Master's degree in education, but most people who sit on the school board are not educators and they're looking for his guidance. And I think [the urban superintendent] does a good job. I think [he's] a pretty damn good superintendent. (ubm)

I think we have to be respectful of one another and one another's roles. I think that we, as a board, are often further down [the urban superintendent's] throat than we belong. . . . (ubm)

I think the main thing is that there has to be a working relationship of trust. If I have a parent come to me, I'm not going to try to handle their issue. I will ask them some questions to make sure they have followed the proper channels—go to the teacher and the principal. And if they've exhausted all their remedies and need to go to the superintendent, then go to the superintendent. And if they want me to go along, I'll go. But they have to understand that the decision with regard to a student situation is going to be handled by the superintendent (rbm).

Additionally, the fact that the urban superintendent received a glowing performance evaluation, a 1-year contract extension, and a 3% increase in salary as a result of a unanimous board vote provides further evidence of harmonious relations between politics and administration in the urban setting. However, the status of the rural superintendent's employment changed as this study was being completed. The rural superintendent sought and obtained a position as the superintendent of another rural school district in the state beginning the next school year. Potential reasons for this change in employment are addressed later in this chapter.

D. Roles by Content Area

The results of analyzing the levels of involvement and corresponding role behaviors of superintendents (Table 4) and school board members (Table 5) within the

Table 4 Superintendent Role Behaviors and Levels of Involvement by Content Area

Actor	Curriculum *involvement/ role	Finance *involvement/ role	Personnel *involvement/ role	Proficiency *involvement/ role
Urban	2	3	2	3
superintendent	Political exec.	Admin. director	Political exec.	Admin. director
Rural	2	2	3	4
superintendent	Political exec.	Political exec.	Admin. director	Admin. technician

* Levels of involvement: 1 = handle entirely; 2 = leading or guiding; 3 = advising or reviewing; 4 = minimal or routine review; 5 = not involved.

content areas of curriculum, finance, personnel, and proficiency provides further insight into the dynamics of local governance. Because the characteristics of the Loveridge typology (1971) have been articulated previously, this discussion centers primarily on identifying, rather than describing, the levels of official involvement and the corresponding roles assumed in each of the four content areas.

Comparison of results for the urban and rural superintendents (see Table 4) reveals that both administrators are actively involved in curriculum and assume the role of political executive in this content sphere. Undoubtedly, a high level of involvement in this content area is based on their professional training, experience, and specialized expertise in education. A willingness to advocate for policy innovation is also evident in the area of personnel for the urban administrator and finance for the rural superintendent through this role adoption. However, in the area of student proficiency, both superintendents assume distinctly nonpoliti-

Table 5 Board Member Role Behaviors and Levels of Involvement by Content Area

Board type	Curriculum *involvement/ role	Finance *involvement/ role	Personnel *involvement/ role	Proficiency *involvement/ role
Urban board	2	3	3	3
	Political exec.	Admin. director	Admin. director	Admin. director
Rural board	3	4	3	3
	Admin. director	Admin. technician	Admin. director	Admin. director

* Levels of involvement: 1 = handle entirely; 2 = leading or guiding; 3 = advising or reviewing; 4 = minimal or routine review; 5 = not involved.

cal roles as indicated by low levels of involvement. The following statements offered by the rural superintendent helps explain his low level of involvement in proficiency and relates directly to Theobald's (1997; pp. 121–122) argument that today's public schools are tailored to economic, rather than moral or community interests:

> Sometimes student achievement is passed off as the key. But I think the more important issues—if you really got down and talked to parents, they want kids who are happy, successful . . . and sometimes we translate that into academic success. But sometimes we miss the boat by thinking that means academic preparation for kids to go to college. There are kids who do not necessarily want to or need to go to college. I think sometimes we close doors too fast on kids (rs).

Given that student proficiency standards were recently determined by the State and that each school district in Colorado is obligated to meet these standards, it is not surprising to find relatively low levels of superintendent leadership in this content area. Additionally, an alternative explanation is provided in the role behaviors indicated for both superintendents in the curriculum and personnel arenas. That is, if superintendents were actively involved in selecting instructional materials used in the classroom and influenced (if not directly controlled) the personnel decisions made in the district, they may have contributed all they could to ensuring proficiency within existing institutional and professional parameters.

Additional findings indicate the rural superintendent assumes the role Administrative director, the same role assumed by his board, in the area of personnel, despite that this content arena is theoretically perceived as the domain of the administration (Svara, 1990; p. 17). The following narrative clearly articulates a sense of resentment by the rural superintendent toward the amount of time taken and the minimal sense of accomplishment provided by dealing with matters of personnel.

> The biggest time-eaters are just one-on-one issues with a parent that might have an issue they can't resolve with a teacher or a teacher that has an issue with an administrator. Those are the largest time-consuming issues. Those are the ones you can get caught up in. By the time you get done with it, you haven't accomplished very much it seems like (rs).

One rural board member illuminates our understanding of the strained relationship between the rural superintendent and his staff that may also account for the administrator's relatively low level of leadership in personnel management. Additionally, this passage describes the rural board acting collectively in the role of broker (Nalbandian, 1990; p. 657) to mediate an administrative dispute:

> We had a situation a little over a year ago where the administrative staff under the superintendent was very disgruntled with him. And there were

some legitimate reasons for that, but there were some false assumptions in that, too. And there was an extreme fear of reprisal on the part of the superintendent against them if anything came out. The way we tried to handle that was to hear the concerns of the administrative staff, but try not to make any judgments because we didn't want to jeopardize the boss–employee relationship with them and the superintendent. But we knew there were some significant issues of trust involved—a breach of trust. It was a very delicate thing hearing the concerns expressed, not by one person, but by an entire administrative staff (rbm).

Findings of board member roles in the four content areas indicate lower levels rural board involvement in both finance and curriculum when compared with the roles assumed by both their superintendent and the urban board (see Table 5). However, the rural board assumes a more active role than its superintendent, and is on par with the urban board's involvement, in proficiency. Additionally, the fact that budget preparation and analysis in the rural district is performed competently by the Director of Business Services before being presented to the board may explain board members' self-reported lack of involvement in this area; and that three accountants serve on the rural school board may have influenced low levels of rural board activity in finance.

Although the rural board members assume a less active role in curriculum than either of their urban counterparts or their superintendent, narrative comments in interviews suggest they appear to be increasing their involvement in this area. Relatedly, one urban board member provides an explanation for increased urban board involvement in curriculum, through the role of political leader, by stating that "in the Department of Instruction area there is a feeling that board members probably don't know enough to be of any positive force in curriculum and maybe they can't be relied upon to make good decisions" (ubm).

The fact that the rural board assumes a more active role than its superintendent in proficiency appears to be the result of a philosophical difference. In contrast to the rural superintendent's previously articulated position concerning academic achievement not being an appropriate goal for every child in his district, the following comment represents the general philosophy of the rural board members, further illuminates understanding official behaviors, and provides insight into a potential source of conflict in the rural setting:

The number one goal that I have as a board member, and I believe it's the number one goal of the district as a whole, is quality academics. Seeing that we compare favorably on a national basis, seeing that our kids are given every opportunity to be successful. That always has to be the bottom line . . . (rbm).

Findings of role behaviors for the urban board suggest shared control in three of the four identified content areas, with the superintendent exercising more leadership than the board in personnel. In contrast, findings for the rural board

reflect shared control only in the personnel arena. And while the rural superintendent exerts more influence than his board in the areas of curriculum and finance, the rural board is more actively involved than its chief administrator in student proficiency. Given that finance and personnel are considered the domain of administration (Svara, 1990; p. 17) and that control in these content areas is either shared equally or is primarily controlled by the superintendent in the sample districts, these findings suggest a cooperative relation between politics and administration in both the urban and rural sample environments. The findings relative to curriculum and proficiency also reflect cooperation insofaras the roles assumed by board members and their superintendents are either identical or complementary. Again, although an atmosphere of cooperation may exist, results of this analysis reinforce previous findings of superintendent control and board subordination insofaras a dominant role is assumed in only one content area (proficiency) by only one board (rural).

Because only those items included in the agenda are addressed at school board meetings, identifying who determines the meeting agenda is another indicator of leadership and control (Kingdon, 1984) in school district governance. Findings reveal that although board members may provide input to agenda development, primary responsibility and control resides with the district superintendent. In both settings, school board meeting agendas list consensus items that have been previously discussed in Executive Session as allowed by law, action items requiring a decision, and items requiring information. However, the nature of the specific issues addressed and discussed in the urban and rural school board meetings differ dramatically. In addition to the technical issues of curriculum, personnel, and budget, agenda items for urban board meetings include the ideological issues of professionalism in a staff dress code policy; religion, sexuality, and marriage in a health education policy; and educational reform in a policy to improve performance in low-achieving schools. In contrast, the technical issues of curriculum, personnel, and budget constitute the entirety of each rural board agenda.

V.   IMPLICATIONS OF ROLE BEHAVIORS

The findings of role behaviors in local education governance presented herein support previous findings of dominance by the superintendent in local education governance (Kerr, 1964; Tucker and Zeigler, 1980; Zeigler, et al., 1974; Zeigler, et al., 1985). Significantly, both superintendents assume a more active, influential, and political role in determining the mission of the school district than that of their respective boards. And while evidence of encroachment by board members and their chief administrators is found in the sample school districts, the combination of complementary role behaviors and shared levels of involvement suggests

minimal conflict is created as a result of such institutional trespass. Moreover, that the agenda is largely controlled by the superintendent in both school districts, and school board members willingly accept this institutional norm, further suggest cooperation between politics and administration in school board governance. These findings are consistent with the IEL (1986; p. 35) study that found an emerging trend toward delegate behaviors by school board members across America.

When compared with the findings of the Loveridge (1971) study, sample superintendent role behaviors are consistent with the predominant political role orientation of city managers. However, the sample school board members appear to prefer a significantly more influential and discretionary leadership role for their chief administrator when compared with the role preferences of Loveridge's city council members. In addition, the fundamental assumptions of the dichotomy–duality model of governance (Svara, 1985; 1990) are only partially supported by the findings of this research. While the assumptions essential to this model posit that the mission dimension of governance is the sole responsibility of the elected body and that the work of management is performed solely by appointed administrators and their staffs, the findings of this sample contradict both assumptions. That is, superintendents in both environments are found to assume a more influential and more politically active role in determining the mission of their respective school districts than their respective boards. Additionally, urban school board members and their chief administrator are found to be involved equally in the management dimension of governance work, whereas the rural board assumed a more active role in school district management than that of the rural superintendent.

Finally, the findings of role behaviors presented are consistent with Svara's (1985; 1990) conception of shared political and administrative responsibility in the midrange policy and administration dimensions of local governance. Additional support for the dichotomy–duality model is found in the cooperative relations suggested by the complementary role behaviors of elected and appointed officials in the sample school districts.

VI. INSTITUTIONAL AND ENVIRONMENTAL DETERMINANTS OF ROLES

Although analyses of self-reported role behaviors suggest a relatively harmonious relation between politics and administration in local education governance, role behaviors alone may not tell the whole story. In the following discussions, findings of institutional and environmental factors affecting role behaviors are presented in measures of conflict within the organization, desires for individual career mobility, and community participation in the sample urban and rural settings.

A. Internal Conflict

Findings of unanimous board votes and the acceptance of recommendations made by the superintendent are used to determine levels of internal conflict in the sample school districts. Table 6 presents the data relative to board voting behaviors, and participant narratives help to reveal the causes of tension between superintendents and their boards, and between individual board members.

Results of coding and categorizing data show that the urban board adopted a conflictual role orientation in its voting behavior, whereas the rural board was cooperative. Using the Tucker and Zeigler (1980) benchmark to measure the cooperative–conflictual orientation of the sample boards, a cooperative role orientation exists when at least 85% of board votes are unanimous. Thus, the urban board's record of 78% unanimous votes over the 4-year period indicates the presence of conflict between urban board members. In contrast, with a 4-year average of 99% unanimous votes, findings for the rural board reflect a very high degree of cooperation among board members in the rural district.

Whereas significant difference is found between the number of unanimous board votes in the sample urban and rural districts, very similar results are reported in the second measure of internal conflict. In both environments, 98% of the recommendations made by the superintendent were accepted by the board during the 4-year period measured, and all decisions to reject the administration's recommendations were split. Comments provided by the urban superintendent suggest that he successfully facilitates the education, socialization, and indoctrination of key staff members to promote administrative success with the urban board (Killian, 1997).

The recommendations rejected in the urban district included matters dealing with the capital budget, the strategy by which to conduct teacher and staff negotia-

Table 6   School Board Voting Behaviors

Year	Board type	Total votes (N)	Unanimous votes (n)	(%)	Sup. recommend (n)	(%)	Accept sup.rec. (n)	(%)
1994	Urban	70	61	87	19	27	19	100
1994	Rural	53	53	100	39	74	39	100
1995	Urban	113	72	64	56	50	55	98
1995	Rural	52	52	100	37	71	37	100
1996	Urban	104	81	78	47	45	45	96
1996	Rural	44	43	98	30	68	29	97
1997	Urban	92	77	84	50	54	48	96
1997	Rural	49	48	98	36	73	36	100

tions, and the strategy to improve performance in low-achieving schools. In the rural district, the school board voted to reject a recommendation made by the superintendent to expel a high school student from school. Thus, the very nature of the issues contested suggests more ideological complexity and, therefore, more conflict, in the urban setting when compared with the technically simplistic recommendation rejected by the rural school board.

B. Superintendent–Board Conflict

Although Table 6 shows that a significant majority of superintendent's recommendations are accepted by the boards in both sample districts, and this implies low levels of conflict in the politics–administration dynamic, rifts do occur. The findings of conflict between superintendents and their boards presented in Table 7 suggest that tensions emanate primarily from problems of board encroachment into district management and autonomous or manipulative behaviors by superintendents. The majority of categories presented in this table are intuitively understood; however, two categories require explanation. The classification termed

Table 7   Urban/Rural Board Voting Behaviors by Required and Substantive Votes

Board type (year) Vote category	Urban board				Rural board			
	1994	1995	1996	1997	1994	1995	1996	1997
Required votes								
Agenda	8	14	16	15	4	4	4	4
Consensus items	8	13	14	13	4	5	5	4
Exec. session	8	14	16	15	4	4	4	4
Adjourn	0	0	0	0	4	4	4	4
Subtotal (n)	24	41	46	43	16	17	17	16
(%)	34.3	36.3	44.2	46.7	30.2	32.7	38.6	32.7
Substantive votes								
Personnel	7	12	9	10	20	10	10	8
Budget	1	22	9	4	7	3	4	5
Curriculum	2	0	2	1	2	7	3	5
Student discipline	8	8	19	0	0	3	2	3
Policies/resolutions	21	24	11	19	2	4	2	7
Calendar	0	0	0	8	1	2	1	3
Other	7	6	8	7	5	6	5	2
Subtotal (n)	46	72	58	49	37	35	27	33
(%)	65.7	63.7	55.8	53.3	69.8	67.3	61.4	67.3
Total (N)	70	113	104	92	53	52	44	49
(%)	100	100	100	100	100	100	100	100

"policies/resolutions" represents the adoption of general operating policies for the school district and resolutions to acknowledge a special day or week for one cause or another (i.e., National Volunteer Week), while the "other" category represents miscellaneous school board decisions that failed to fit with alternative classifications.

When eliminating the number of votes pertaining to the required functions of adopting the agenda, accepting consensus items, entering into executive session, and adjourning the meetings; the number of votes concerned with personnel and budget items shown in Table 7 represent a significant percentage of the substantive decisions made. Of the substantive votes analyzed, matters of personnel and budget accounted for 33% of the substantive total in the urban district, and 51% of the substantive total in the rural setting. Because personnel and budget are considered administrative functions (Svara, 1990; p. 17), findings of board encroachment into school district management are reinforced for both sample school boards.

On the other hand, domination and manipulation of board members by administrators create similar tensions. As March and Olsen caution (1989), political manipulation by professional administrators can be a very dangerous game in which "sophistication is honored at the expense of wisdom" (p. 31). In the following interview excerpts, the rural superintendent cites an example in which he influenced the board to vote in concert with his view of a politically correct decision and two urban board members, represented by a single narrative below, express feelings of being manipulated by their chief administrator.

> Last springtime, the city came to the school district and wanted the school district to endorse the election for a recreational center. I was really against that. I figured the recreational center was for the city, so it was inappropriate for them to ask for our endorsement. But I know the board members felt the other way. So I pushed really hard for them not to endorse the center because I felt [city officials] didn't have any right to ask us to do that. . . . Of course, when I'm in the situation where I am to facilitate the mission and the direction of this district, it's real easy for me to want to say, "I've got the answer and let's just go in my direction here and we'll all be better off." I know I'll be better off (laugh). And we talk about that a lot. They'll tell me, "You're pushing too hard on me, you're pushing too hard" (rs).

> Our superintendent tends to treat the board members as employees. He uses the board as an unpaid management team so the superintendent is not held accountable for anything. He puts every, single thing before the board and the board blesses it off. So he ends up not being accountable for anything (ubm).

Additionally, the urban superintendent's desire to lead and succeed appears to result in occasional episodes of autonomous behavior and ego-related disputes.

The following comment summarizes the general feelings expressed by several urban board members.

> He [the urban superintendent] has got to stop going to the newspaper and telling them what a great job he's doing. We should be doing that. It should be our job to make him look good. But [the urban superintendent] has a healthy ego that is important to be stroked (ubm).

Finally, there is one particular member of the urban school board who contributes significantly toward conflictual political–administrative relations in urban district governance. Although the specific behaviors of this problematic board member are addressed in the following section on board conflict, this excerpt provides insight into perceived administrative restraint in facilitating timely, informed decisions by the urban board.

> I've seen a difference in how we are given information because of [the problematic board member's] demonstrated behaviors in how information is used. . . . There's a lack of trust. And so I've seen far less information shared [by the administration] without us asking for it because of a demonstrated behavior that says we, as a board, can't be trusted with it (ubm).

As Iannaccone and Lutz aver, "perceptual differences often create difficulties between school boards and superintendents. Neither intends to act in bad faith, but each may believe the other is less than honest and fair" (1970; p. 140). Although urban board members acknowledge having occasional disputes with their superintendent, they consistently refer to resolving these disputes in a "professional," "respectful," or "civil" process conducted "behind closed doors." This notion of professionalism is consistent with the formal, respectful, and civil conduct observed in the few board–superintendent interactions that took place in urban board meetings. And although tempers occasionally flared amongst members of the board while in open session, the superintendent never engaged in this type of public display.

In contrast, the rural superintendent appears to dislike having his authority questioned, often responding in anger when challenged. In addition, according to several board members, the administrative staff perceives the superintendent to be relatively unapproachable by them. However, this behavior is perceived to be somewhat tempered with the board "because we are his boss" (rbm).

B. Board Member Conflict

Evidence of board member conflict is largely absent from the findings for the rural district. In addition to findings of 99% unanimous rural board votes during the 4-year period analyzed as shown in Table 6, the tempered language used in narrative descriptions of conversations held in executive session during interview

responses further suggests a high level of cooperation among rural board members. For example:

> It's nice to be able to hear certain things in private. Especially when people may tend to get a little emotional over an issue. And in private we've had—I wouldn't call them knock-down drag-outs—but some pretty good differences of opinion (rbm).

Findings are significantly different, however, for the urban school board. Although occasional tensions are created as a result of the strong, but different, behavioral styles of the urban board president and vice president, the primary source of conflict among the urban school board members is found in one individual. Of the 88 nonunanimous votes recorded for the 4-year period relevant to this study, one contentious board member cast the only dissenting vote in 43 cases. He engages in open confrontation with various board members while in public session, accuses the board of manifesting "knee-jerk reactions" in the way they vote, ensures that he is quoted in the media on controversial issues, and seems to enjoy the angst he helps to create in others.

This board member also tends to be absent from school board meetings more often than any of his peers. Citing only 60% attendance at all scheduled meetings, work sessions, and public hearings, some members moved to have this individual removed from the urban school board. In fact, this motion and related discussions consumed an entire meeting. However, a motion to vacate his position failed in a split 4:3 vote after he brought a "written excuse from his wife requesting that three of his absences in May be excused" (Killian, 1997).

Although these behaviors may be absurd, it is clear the urban board members have a difficult time maintaining their composure when this individual is involved. Every interview participant had something to say about this individual, and their stories, told with varying levels of emotion, were essentially the same:

> I've just never experienced a person like him. It just about killed me for the first 2 years. The inconsistency, the back-stabbing, going right to the radio, going right to the TV, saying we're liars, saying we're . . . oh, it's just horrible. He's trashed schools in the newspaper, he's trashed the board members, he's called the administration crooks and evil. And this is from a board-level position! That's just absolutely inexcusable and unforgivable. And so for the first 2 years I [tried to work with him], but now it's more like I just ignore him (ubm).

The contentious board member perceives it differently, although he does appear to relish confrontation:

> I can't say with any certainty how the other board members relate among themselves. I can tell you that the relation between me and the rest of the board is abrasive, confrontational. I try not to be, they try very much to be.

> That's just the way they are. . . . I called a few reporters and told them we
> were having [a local retreat] . . . sleeping over and everything on the taxpay-
> er's nickel. Well, a reporter came and the exact words in the newspaper story
> the next day was, ". . . the rest of the board vented their spleen at [this board
> member]." And some of my sympathizers, some buddies of mine, came and
> video taped it. Oh, those board members were pissed! (ubm).

Findings of internal conflict in the sample districts suggest that, while the relationship between politics and administration is generally one of cooperation, tensions are created when elected officials attempt to encroach on the responsibilities of the chief administrator and, similarly, when the administrator seeks to dominate or manipulate the board. This finding of cooperation between politics and administration in the sample school districts is consistent with cooperative relations identified in the dichotomy–duality model of governance (Svara, 1985; 1990). Personalities also play a significant role in creating conflict as evidenced by the references to ego-related tensions between the superintendent and board, and between board members themselves in the urban district. The fact that 98% of the recommendations made by the sample superintendents were accepted by their respective boards also reinforces previous findings of board deference to professional, administrative expertise in both sample school districts. Finally, it appears the very nature of the urban setting adds a dimension of complexity that is missing in the rural environment. Thus, it is not surprising to find a corresponding increase in internal conflict in the urban district when compared with that in the rural setting.

C.   Desires for Career Mobility

Interview responses of school board members' individual desires for future political office again reveal differences between the urban and rural environment. Whereas rural board members tend to view their role as separated entirely from the political realm, the urban board president and vice president are perceived by their peers to have strong political aspirations as evidenced by consistent interview responses from the six participating urban board members. Additionally, one urban board member is perceived by at least one colleague as seeking a seat on the school board primarily as a stepping stone toward future political office.

Neither of the sample superintendents expressed any desire to hold future political office, although interviews reveal that they spend time developing limited intergovernmental relations in their respective communities, whereas the sample board members do not. Interview responses in the urban district, however, further indicate that resentment rooted in a perceived desire for political mobility by some urban board members provides a source of tension within this governing body. For example:

I actually see some board members whose purpose for being on the board is to [gain political mobility]. And that's frustrating. [The board president] is the primary one that comes to mind. And [one board member] lost a state election before ever running for the school board, so. . . . I would [run] if I feel passionate about it. If I feel that my skills match those of a state Representative or Senator and I could make a difference then that would be something that I would entertain. But I didn't run for school board to be a politician. I ran to make a difference (ubm).

D. Community Participation

Community expectations of the public education system, and the means by which public demands are expressed, affect official behaviors in school district governance. While referring to the breakdown of the American family and the additional burdens placed on the urban and rural school system, superintendents share their perceptions of public expectations this way:

I think the general public wants the best bang for the buck and students performing to the best of their ability, despite their socioeconomic status (us).

Now there's an expectation that schools should be everything and we were never designed to do that. We can't do that . . . it's supposed to come out of the family. We're supposed to provide the tools for them to take their basic value system and apply it in the world, but not for us to provide the value system. . . . I think that's a role we can't do very successfully (rs).

Although evidence of some community participation is found, direct involvement by parents and other local citizens to influence policy decisions of the school board is severely limited in both sample districts. Parent–Teacher Organizations (PTOs) and Associations (PTAs) are actively engaged in the elementary and middle schools, but primarily involve themselves in the nonpolitical activities of organizing small fundraisers, providing transportation, and chaperoning children during school-sponsored activities. Similarly, benign parental involvement is found at local high schools, primarily in athletic programs and events. Thus, these findings are consistent with Dahl's (1961) report that such parent–teacher partnerships have little effect on the processes or policy decisions made in local education governance.

A lack of substantive public participation is further evidenced by low levels of attendance at urban and rural school board meetings. Indeed, the audience in both settings is comprised consistently and largely of teachers and members of district staffs.

Analysis of the urban school board elections provides additional evidence of low levels of public participation in the urban district. Less than 10% of registered voters participated in the urban school board election in 1993. And

although approximately 40% of the county's voters turned out for the off-year election in 1995, only slightly more than 16% of the registered urban voters participated in the school board election that year, despite that a significant school bond issue was a referenda item on the ballot (Zubeck, 1995; p. A1). Moreover, a low level of electoral competition in the urban district is evidenced by a ratio of 1.75:1 when comparing viable candidates to open seats in the urban district for these two elections.

Given the low average of electoral competition in the sample rural district (1.6:1), it is no wonder that one rural board member stated that he did not see his position "as a political job in any way." However, despite the fact that two of the three races for the rural school board were uncontested in the 1993 and 1995 elections, an average of 15.9% of the rural population participated in these two elections as compared with an average participation rate of 10.8% in the urban community in these 2 years (State of Colorado, 1993; 1995). These findings indicate the sample rural community is more involved in this aspect of public education governance than their urban counterparts.

In both school districts, however, employee groups tend to affect the behaviors of officials in local education governance more so than does the public at large. Through sponsoring school board candidates, familiarity with institutional norms and processes, application of professional expertise, crafting short- and long-term goals and strategies, and mobilizing people into organized action, the teachers' union and other employee groups consistently demonstrate their collective power to influence official behaviors in the urban district. And although the rural district tends not to experience such organized behavior on the part of employees; teachers, principals and members of the administrative staff influence significantly key decisions of the board (Killian, 1997). Thus, whereas the general public plays a role, the institutional community exerts more influence in controlling the attention of, seeking innovation by, and establishing broad systems of meaning with school board members and their chief administrators. These findings support the argument posited by Tucker and Zeigler (1980; p. 7) that some professionals believe they are best able to perceive the educational needs of the community because of their expertise and, to that end, may organize themselves according to shared ideological beliefs to influence policy decisions. This behavior, however, is likely to contribute toward creating conflicts between members of the institution and the community at large.

VII. DISCUSSION AND CONCLUSIONS

Taken together, the findings of this study suggest the roles, rituals, and decisions in local education governance are influenced by a combination of individual, institutional, and environmental factors. Moreover, these findings clearly suggest

patterns of influence, leadership, and control in governance of the sample school districts. While the processes determining the institutional trade-offs between democratic representation and professional expertise are often subtle and usually performed outside public view, superintendents appear to control the processes of school board governance. Superintendents possess specialized knowledge of and longevity in the public education system, professional training, and expertise to manage the affairs of their district, and the positional authority to direct and control school district resources and information. Although board members are empowered by claims to constituency representation, their ability to accept or reject the recommendations of the superintendent, and their authority to evaluate the chief administrator's performance and terminate the employment contract, findings of this study reveal significant political deference to professional expertise in the policy-shaping and policy-making processes of local education governance.

In contrast to Loveridge's (1971) finding that members of city councils prefer their respective city managers to assume nonpolitical roles when performing their jobs, the results of this study show that board members in both the urban and rural setting actually preferred their chief administrator to assume an active, political role in school district governance. In both sample school districts, the superintendent's recommendations and actions were rarely challenged by the board, the superintendent largely controlled the board agenda, the superintendent controlled and received the majority of media coverage on school district matters, and the superintendent (or his delegate) established and utilized loose networks with members of intergovernmental agencies, professional associations, business groups, and community organizations to share resources and information.

Similarly, whereas the logic of the dichotomy–duality model (Svara, 1985; 1990) posits that determining the mission of the school district is the responsibility of democratically elected officials and that management of district business is the domain of appointed professionals, the findings of this study indicate the processes of policy-making and administration are, to some extent, shared by board members and their chief administrator in the sample school districts. Moreover, both superintendents dominated in determining the mission for their respective school districts; and surprisingly, both administrators and board members were found to assume relatively low levels of involvement in managing the daily operations of the sample urban and rural school district.

Insofar as the sample superintendents frequently acted in accord with what they perceived to be in the best interests of their respective communities, they resemble closely Nalbandian's (1990) "idealist" manager. Such administrative discretion may be attributed to two contributing factors: (1) consistently low levels of public participation in the processes of education governance and (2) institutionally established behavioral norms that allow such behavior not to jeop-

ardize the superintendent's professional accountability to the board. These two factors certainly helped to mitigate political–administrative conflicts that could arise from extensive use of administrative discretion.

Although findings of internal conflict present evidence of more conflictual relations between urban board members and their superintendents when compared with their rural counterparts, cooperation best describes the nature of political-administrative relations found in both sample school districts. The finding that reduced political activity by board members is compensated for and complementary to the corresponding roles assumed by district superintendents suggests cooperative processes of role adjustment and adaptation to facilitate achieving goals and objectives to benefit the community and ensure institutional, and perhaps individual, survival. Individual desires for career mobility and differences in personality or style were found to create tensions among board members in the urban school district, and urban board members appeared to self-manage these disputes; Although findings of self-reported political and administrative encroachment are reinforced through analysis of the institutional and environmental factors affecting role behaviors, deference to professional expertise by the governing body appears to be the accepted institutional norm in both the urban and rural environment.

According to the logic of institutionalism (March and Olsen, 1984; 1989), the political role of the school superintendent is rooted in shared institutional values and beliefs that the chief administrator is best equipped to guide, direct, and control the processes of local education governance. As such, the actions of board members appeared frequently as symbolic affirmations that legitimized the political role of the superintendent and served to create the perception of informed, purposive, and democratic leadership. Moreover, these findings suggest that this shared "system of meanings" can result in high levels of trust and cooperation between elected and appointed officials. Consequently, in this study political action was standardized through institutional norms that strengthened administrative capacity and discretion in the sample urban and rural school districts. Additionally, even though important differences were found in the levels of institutional and environmental conflict, differences between official behaviors in these two environments were more a matter of degree than of kind.

Although conclusions concerning the future of political–administrative relations in local education governance are speculative and circumscribed by purposive sampling, they are informed by the theoretical logic of the model of institutional reorganization (March and Olsen, 1989) and the findings presented herein. To the extent the actors in school board governance seek institutional survival, board members and superintendents alike will attempt to overcome their differences to secure the means necessary to meet their shared objectives (March and Olsen, 1984; 1989). Thus, political institutions will likely continue to incrementally adapt over time, and actors will likely adjust the institutional practices,

processes, norms, roles, rules, and rituals to ensure survival. Within that context, I remain cautiously optimistic that public school boards and their chief administrators will continuously seek to overcome conflictual barriers, operate on a predominant premise of cooperation, and provide the institutional context required for successful local education governance as we continue to find our way through the 21st century.

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DISCUSSION QUESTIONS: PART II

1. What are the consequences of functional specialization?
2. How can we balance functional specialization and organizational cohesion?
3. What leadership qualities are necessary to foster cohesion and cooperation between line and staff personnel in organizations?
4. How do you balance getting input from operations personnel and making decisions?
5. What are the different phases of organizational dispute systems? Looking at your organization, identify what phase(s) it is in, and then discuss whether those phases are acceptable in addressing differences in your division or department.
6. What is the difference between bullying and harassment? Should bullying have a separate definition from harassment?
7. Offer a working definition of workplace bullying. Based on your definition, outline a training module to address the attributes in your definition.
8. When looking at Chapter 8, do "symbolic affirmations" of board members that legitimize the political roles of administrators represent proper democratic leadership?
9. If elected officials defer to professional expertise, what does this action say about accountability in government?

PART III   Stakeholder Conflicts: Fostering Cooperation in Communities

INTRODUCTION

Part III of this volume concerns conflict management among multiple stakeholders within the context of the local community. Although each of the following four chapters take a different approach to explore this topic, common themes emerge as essential requirements to achieve effective conflict management among multiple stakeholders. First, a clearly defined process that promotes substantive and equitable participation among stakeholders must be designed and implemented early on. Second, and equally important, is providing the time required to nurture healthy stakeholder relations early in the process. Third, developed processes must be perceived as credible and equitable, and developed relationships must result in trust and respect among stakeholders.

In Chapter 9 the authors offer insights concerning theoretical linkages between building consensus and building community. These connections are then applied to explore the practice of public policy mediation. A discussion of the historical evolution of mediated negotiation, various perspectives of mediated negotiation, and a brief overview of democratic theory are presented in this chapter. The central question posed, however, is whether mediated negotiation supports or detracts from the processes of democratic governance. Although the authors acknowledge that potential weaknesses may exist in such deliberations, they conclude that mediated negotiation can serve as an effective means to transform and positively influence current notions of democratic practice.

Chapter 10 focuses on the experience of, and lessons learned from, implementing a community partnership effort in Los Angeles, California. The diverse nature of both the sample community and the sample partnership highlights the complexities inherently involved when seeking to manage conflicts among multiple stakeholders in the urban setting. In addition to addressing the noted common themes, emphasis is placed on the need for a clearly articulated mission for the partnership, clearly identified roles for all participants, ongoing oversight, avoid-

ing conflicts of interest, maintaining accountabilities throughout the process, and securing adequate financial and human resources to achieve the group's objectives.

Through addressing the issue of saving salmon species in Washington State, Chapter 11 underscores the interdependent nature of relations between environmental issues and social and economic systems, thus resulting in the steady increase in strategic partnerships between members of public, private, and community organizations. Moreover, this chapter discusses key conditions required for and obstacles to effective collaboration, and addresses those circumstances under which a collaborative process would be inappropriate. The authors caution readers about potential challenges and weaknesses of consensus decision-making and offer suggestions for building competence and capacity among group members.

Chapter 12 takes a different approach by focusing on the value of dialogue as an important objective in conflict management. Rather than placing emphasis on resolving disputes or making decisions, the author explores the concept and application of dialogue as a format to promote deeper understanding of issues that divide stakeholders within the context of conflicts between Hawaiians and non-Hawaiians residing in the state of Hawaii. The author concludes that by aiding in our ability to think and relate in new ways, this process serves as a valuable tool to help reduce bias, lessen tensions, and prevent conflict from escalating. However, evidence is not yet clear for whether the process of dialogue ultimately leads to systemic change.

9

Mediated Negotiation and Democratic Theory

Implications for Practice

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I. INTRODUCTION

This chapter examines an established organizing process, known as mediated negotiation, that has become evident in planning, resource management, program development, and delivery, and policy-making decisions in the United States. Our overriding argument is that the mediated negotiation setting is an effective container for the working through of public issues in a way that furthers both individual and societal development. From our perspective, the unit of analysis is relationship—the reflexive relationship one has with him or herself (the other) and the relationship that he or she has with the other members of the mediated negotiation environment.

The intent of this chapter is to provide a brief historical overview of the emergence of public policy mediation, and a clarification of our definition of democracy, through reference to major writers on the topic and to elaborate on the connection between notions of democracy and consensus-building practice.

II. BACKGROUND

Over the last one-third of the 20th century, public decision-making in the United States underwent considerable change. During the tumultuous 1960s, demands

by the public for greater openness and accountability in decision-making by the nation's leadership culminated in procedural requirements promoting public participation and protecting public access to government records that trickled down to the lowest levels. Over time, and through the clarifying role of the courts in interpreting law, definition of *public* evolved to include assumed beneficiaries or those bearing the burden of secondary effects of public decisions, as well as those directly affected. Such provisions for openness, however, have also been viewed as the cause of excessive legal challenges to decisions and substantial delay and cost.

Although the disadvantages of broader access to information and participation were recognized, a return to closed-door decision making was unlikely. Harter's seminal *Georgetown Law Review* article, "Negotiated Rulemaking: A Cure for the Malaise," put forth an argument for a public decision-making process innovation that was emerging sporadically across the local landscapes in varied forms (Harter, 1981). *Negotiated rulemaking* is a method of writing administrative rules through an open, structured negotiation that directly involves a broad array of stakeholders including the regulators, the regulated, and other interested parties. Importantly, this negotiation process relies on the assistance of an outside party who serves as a mediator, shepherding the process along (Susskind and Cruikshank, 1987). Whereas Harter's article targeted administrative rulemaking, similarly mediated negotiations were being used to augment many other instances of public decision making, ranging from site-specific permitting decisions and interjurisdictional land annexations, to the development of policies and the allocation of scarce natural resources (Bingham, 1984).

In most cases, these participatory processes are designed to supplement conventional decision-making processes. "Stakeholder" groups serve as advisory committees inserted into an existing process, such as administrative rulemaking or a comprehensive-planning process. The outcome of the mediated negotiation legally constitutes a recommendation to the decision makers holding formal authority, such as the agency director or the planning commission. In a strict sense, because the official decision maker is not obligated to decide in a manner consistent with the recommendation, these processes appear to offer little that is new in terms of the democratic nature of decision making. The advisory status of the negotiated agreements, it may be argued, limits mediated negotiations to serve as weak accoutrements to an existing system of representative democracy.

On the other hand, if the advice is accepted uncritically by the official decision makers, mediated negotiations may be another step removed from democratic decision making, in effect, delegating authority to a body who are not accountable to the public (Lowi, 1969). Moreover, the intense experience of participation in mediated negotiation may create a division between members of the group and other members of the affected public. In very few cases are the participants elected by and to represent any subset of the broader population. On

the contrary, if participants are identified through a snowball method of word-of-mouth, the influence of existing social networks and relations of power may be accentuated (Carpenter and Kennedy, 1984). Even when participants do represent loosely organized interests such as neighborhoods or collective interests, such as environmental resources protection, the extent to which such representatives maintain dynamic communications with their constituency may be highly variable. Viewed in this light, mediation supplements to conventional decision making appear to formalize elite influence within the context of representative democracy.

A third view suggests that mediated negotiation, in fact, challenges the hegemonic power of institutions and dominant elites. From this perspective, mediated negotiation is seen to fundamentally alter the substantive basis of the decision and the roles and relations among the decision makers, public professionals, and the members of the public involved in the decision-making process. Specifically, the knowledge base for the decision is transformed as participants bring forward information from nontraditional sources. For example, industry groups may make available propriety data about technologies or production processes under scrutiny in a standard-setting rulemaking process (Ozawa, 1991), or community members may recall memories of favorite family fishing spots from years long past in a land use planning process (Ozawa, forthcoming). Rather than various types of technical experts describing reality, the participants jointly create a new understanding, drawing on diverse data sources and multiple methods of analysis. Power is tipped in favor of the advisory committee to the extent that the public rationale underlying committee recommendations is compelling or to the extent that the consensus-building process has reshaped the public understanding of the problem and alternatives for its resolution. Viewed in this manner, mediated negotiation offers a novel and promising turn toward democratic governance.

Interest in mediated negotiation in public decision making has come from many quarters. Somewhat similar to the support given to community mediation programs in the 1970s, political support for public policy mediation can be seen as coming from many points of the political spectrum. The Reagan administration funded pilot projects in regulatory negotiation at the Environmental Protection Agency (EPA). This interest emerged largely because in the early 1980s, the then EPA administrator William Ruckelshaus, a moderate conservative, worried that four out of five major rules promulgated by the agency were being challenged in court (Bryner, 1995). Certainly some supporters were motivated for reasons similar to that of conservative Justice Warren Burger, who supported community mediation programs in the 1970s as a means to clear out an overburdened court docket in order to accommodate disputes among corporate and business players that were impeding the flow of capital. Whereas some supporters might have regarded mediated negotiation similarly as a method for expediently dispensing

with nuisance-type issues, Ruckelshaus and the EPA were concerned with resolving disputes to achieve some action toward environmental protection as well as to create a more predictable business climate. So, similar to the more liberal supporters of community-based mediation programs, who viewed this alternative as providing ordinary people "access to justice," paralysis in the court system was seen as hurting individuals by delaying environmental protection.

Finally, interest in mediated negotiation in public decision making arises from a concern about improving the political and technical basis for decisions. In the 1970s, the progressive left viewed community-based mediation programs as an opportunity to return justice into the hands of the people. The formality of the legal system represented the embodiment of privilege and prejudice, often sacrificing procedural justice for substantive justice and disempowering disputants through the intimidation of the system's rigid structure. It was believed that community mediation, in which the disputants speak for themselves and voluntarily enter into agreements to resolve their differences, would achieve for more people a higher degree of self-determination. Moreover, when persons most directly involved in a decision speak, relevant facts and conditions surrounding that decision are more likely to be appropriately interpreted and considered.

Whether mediated negotiation supplements to conventional public decision making are a step backward from or a step forward towards democratic governance is a question that warrants careful examination. This chapter explores this question by looking at the links between notions of democracy and specific conditions for mediated negotiation.

III.   DEMOCRACY IN CONTEXT

We now turn to the task of locating the democratic context within which we assume that mediated negotiation and public policy facilitation operate. To do this we will briefly represent a discussion of democratic theory. In doing so we rely heavily on Held's (1996) archaeology of democratic theory. The key tension that guides our narrative is the reassertion of a developmental–participatory strain of public administration (King, et al., 1998; Stivers, 1990; Box, 1998; Denhardt and Denhardt, 2001) in contrast to the traditional pluralistic view of democratic governance. As White (1990) notes: "The essence of pluralism is the contending of interests through power tactics. The essence of participation is a special texture or quality of relationship" (p. 208). In this context, we agree with White's subsequent assertion that "what is crucial is the dynamic of how people relate as they address issues of public action" (p. 210). Hence, this is the bias that we bring to our discussion of democratic theory. That is, we assert that public administrative action is strengthened when a context is created within which citizens are engaged

in a relation with others in the society such that they are self-reflective and have a reflexive relation with others.

A. Participatory Democracy in the United States

This section addresses the question of democracy as we enter the 21st century. First, we want to clarify why, in fact, such a discussion is important. Often, we in the public administration and planning fields argue that given the condition of politics, the "wicked problems" are avoided and typically resurface and are solved within the administrative setting (cf. Wolin, 1960). And as noted earlier, what we also find is a great exigency for substantive participation. What we are asserting is a developmental view of democracy and governance. Such a perspective has a lineage that begins with the Greek polis, and moves through Marcelius of Padua, Rousseau, Marx and, in the United States, the Anti-Federalists (McSwain, 1985; Rohr, 1986; Held, 1996).

Political scientists such as Barber (1984), Sandel (1996), and Benhabib (1996), among others, have brought this discussion to the forefront. Benhabib in particular has championed the work of Hannah Arendt and Arendt's discussion of citizenship and human development. Finally, the work of two writers, Kensen and King, have brought Arendt's work to the current debate with a particular focus on public space, which for these two authors is not a geographic limit, but a frame for face-to-face interaction and effective participation. As we see it, participatory democracy suggests an "emphasis on the intrinsic value of political participation for the enhancement of decision making and the development of the citizenry" (Held, p. 9).

The reassertion of the demand for participatory/developmental democratic practices is not without precedent. Rohr (1986) and McSwain (1985) both emphasized the importance of this participatory dynamic. Rohr following the work of Storing (1981) emphasized the Anti-Federalist contribution to democracy in the United States. McSwain emphasized the Rousseauean tradition of collaboration and dialogue. The tie back to Rousseau is a critical one. As noted by Held (1996, p. 57).

> Rousseau saw individuals as ideally involved in the direct creation of the laws by which their lives are regulated, and he affirmed the notion of an active involved citizenry: all citizens should meet together to decide what is best for the community and enact the appropriate laws . . . In Rousseau's account . . . a political order offering opportunities for participation in the arrangement of public affairs should not just be a state but a type of society.

As we know from political history the American form of government evolved not from the legacy of Rousseau, but from the liberal tradition from Hobbes, to Locke, to Montesquieu, to Madison. We will not review here the

history of liberal democratic theory. Rather, our task is to briefly rehearse the characteristics of democracy, particularly in the 20th century, which resulted in a resurgent demand for citizen involvement in the governance process.

In the late 19th and early 20th centuries, industrial society significantly altered the character of democracy. Industrialism in Western societies led to the rationalization of work and human relations with new forms of organization focusing on the instrumental. The emphasis on instrumental rationality in all facets of society placed (and perhaps continues to place) significant limitations on the democratic tradition. For Weber, industrial democratic society was too expansive to entertain any notion of participatory democracy. He notes:

> where the group grows beyond a certain size or where the administrative function becomes too difficult to be satisfactorily taken care of by anyone whom rotation, the lot, or election may happen to designate. The conditions of administration of mass structures are radically different from those obtaining in small associations resting upon neighborly or personal relationships . . . The growing complexity of the administrative task and the sheer expansion of their scope increasingly result in the technical superiority of those who had training and experience and will thus favor the continuity of at least some of the functionaries. Hence, there always exists the probability of the rise of a special perennial structure for administrative purposes, which of necessity means for the exercise of rule (Weber, as cited in Held, 1996, p. 162)

Further, Weber argued that instrumental rationality could address only the means—end questions of societal development, not the normative questions. Weber's work reaffirmed the procedural view of democracy. As Held notes: "Far from democracy being the basis for the potential development of all citizens, democracy [in modern industrial society] is best understood as a key mechanism to ensure effective political leadership" (1996, p. 172). What became operative was a technocratic society within which the average citizen was understood to be unable and, perhaps incapable, of doing little more than voting in or out of office a professional elite. This condition also had the effect of marginalizing or delimiting the human agency that was central to participatory and liberal democratic theory. From this point of view, there is no such thing as active citizenship. Instead the technocratic vision of democracy portrays the citizen as "isolated and vulnerable in a world marked by the competitive clash of political elites" (Held, 1996, p. 199).

Pluralist theorists such as Dahl, Lindbloom, and Lipset both critiqued and built on Weber's analysis. The pluralists suggested that while democracy in the 20th century was neither participatory nor developmental, it did not, therefore, translate into a view that the citizens had no input into the political process. They instead argued that while the relation between the citizen and the state may have been a distant one, citizens affect the political process through the myriad of associations and interest groups that constitute diverse bases of power. The maxi-

mizing "behavior" of interest groups was seen as analogous to the so-called self-interested behavior of human beings. Other important aspects of pluralist theory included Dahl's (1956) insight that power is not cumulative, but is disaggregated. As such, the main tenet of pluralist theory is that the multiplicity of factions makes democracy durable. That there may be no collective will (or general will, as Rousseau would have suggested) is not necessarily a sign of weakness. David Truman's influential book *The Governmental Process* (1951) suggested that public policy emerges not from the direct influence of a few elites as Weber argues, but out of the "fray of interests." (Truman, as cited in Held, 1996, p. 204). Hence, the pluralist view represents an even further shift away from any developmental form of politics. Held suggested the following about the pluralist view of democracy:

> Questions about the appropriate extent of citizen participation, the proper scope of elite rule and the most suitable spheres of democratic regulation—questions that have been part of democratic theory from Athens to 19th-century England—are put aside, or rather, answered merely by reference to current practice. The ideals and methods of democracy became by default, the ideals and methods of the existing democratic system (1996, p. 209).

Keen to the positivist legacy, the pluralists sought an empirical realism that disregarded political idealism and affirmed seemingly tangible expressions of human behavior based on exchange-based views of power and rational self-interest. A concept such as the public interest, which signified a collective will or collective understanding, was dismissed as having no empirical basis and, therefore, no relevance.

We agree with the pluralist argument that politics is a forceful brokering of disparate interests. However, we also contend that such a power-based mechanism is not the basis for rational or effective participation. Interest group politics is merely the momentary arrangement of a set of interests—a temporary stability that the parties have accepted or acquiesced to because they could not achieve total dominance. This drive to dominate, the "power after power that only ceaseth in death" as Hobbes (1968, p. 161), so eloquently wrote, reflects a view of human nature that undergirds modern Western political thought. We disagree with the argument made by pluralist theorists that the administrative process is solely an extension of the interest group model. That is, administrative agencies or subsets thereof are seen as solely as self-interested "power gatherers." Rather, we argue that when public agencies employ consensus building processes, such as negotiated mediation, they further the aims of participatory democracy.

Mediated negotiation recreates a missing element of the current condition of democracy. It is not a replacement for the political process, but a strategy embedded in the administrative setting that is increasingly used for making decisions on contentious issues, or for resolving a myriad of public sector disputes.

White (1990) makes an interesting point when distinguishing between the political and administrative settings. He notes:

> There is, then, at least this sense in which the "politics-administration dichotomy" is true and real. Each provides a qualitatively (though at some deep and generic level they are related) different mode of moving forward the project of human development. Just as constitution writing is birth, politics is youth, and administration maturity, in the developmental cycle of societies. Dealing with the suffering and struggles of life is less costly and less wearing when we can contain these within the processes of administration. This does not make administration a higher form of social process than politics, however; rather, it shows it to be a more settled aspect (p. 237).

This notion that administration is a "more settled aspect" of social process is significant because it suggests that effective participation can legitimately occur within the administrative setting. Our view is that mediated negotiation, with its unique language formats and potential for inclusiveness, is an excellent form of participatory democratic practice.

IV. MEDIATED NEGOTIATION AS TRANSFORMATIVE DEMOCRATIC PRACTICE

We are not the first to see the potential of the participatory, developmental strain of democratic theory in mediated negotiation. In the mediation literature, one finds discussions both of individual transformation and of larger organizational transformation as it relates to governance and community. Clearly, both are appropriate for discussion.

Bush and Folger, in their book *The Promise of Mediation* summarize well the accepted definition of the personal dimension of the transformative dynamic of mediation:

> The unique promise of mediation lies in its capacity to transform the character of both individual disputants and the society as a whole. Because of its informality and consensuality, mediation can allow parties to define problems and goals in their own terms, thus validating the importance of those problems and goals in the parties' lives. Further, mediation can support the parties' exercise of self-determination in deciding how, or even whether, to settle a dispute, and it can help parties mobilize their own resources to address problems and achieve their goals (1994, p. 20).

The notion of self-determination and mobilization are aspects of the definition that are important for a discussion on local level organizing. A case can also be made that self-determination and resource mobilization are undergirded by the twin concepts of empowerment and recognition. These two concepts are at

the heart of the transformative dynamic of mediation. The mediation process requires that parties jointly work through a definition of the problem at hand as well as subsequently develop a joint solution. Participants typically emerge from the process with a stronger self-awareness as a well as an increased appreciation or regard for the other disputant(s). Although the extent to which an individual's character is changed by mediation may be an overstatement, unnecessary and even personally distasteful to many potential participants, the transformative aspect of mediation suggests that participants' understanding of their own interests as well as others' is changed through the process.

For Dukes (1996) the transformative dynamic of mediation extends to societal impacts and includes:

- Inspiring and nurturing, and sustaining a vital communal life: an engaged community;
- Invigorating the institutions and practices of governance: a responsive governance; and
- enhancing society's ability to solve problems and resolve conflicts: a capacity for problem solving and conflict resolution. (p. 156)

This emphasis on the societal impact of mediated negotiation underscores the notion that mediators "nurture a process of public deliberation and learning, a process of civic discovery" (Forester, 1999; p. 173). An overriding point, then, is the citizens' engagement with institutions of governance as a necessary condition.

Forester has identified the link between mediation and deliberative approaches. We quote Forester at length here to include his definition of *democratic deliberation*, which alludes to issues of human development.

> By "democratic deliberation," here, I refer to the practical public imagination of the future—in a variety of real decision-shaping discussions, in community meetings or negotiations, involving either representatives of public constituencies or directly affected citizens themselves. By "deliberation," following Aristotelians, such as Martha Nussbaum, and critical theorists, such as Seyla Benhabib, I mean conversations that involve more than the evaluation of efficiency—assessing which options, strategies, or "means" provide the most bang, the most social benefit, for each buck (Nussbaum, 1990a; Benhabib, 1990; Forester, 1995b). Political deliberation also involves, as we shall see, two more complex and challenging kinds of work: a careful exploration to learn about ends (including goals, mandates, obligations, hopes, and what these actually mean, practically, in a given case), and a subtle but real recognition of other parties—even as they might propose to build where you want to preserve (or vice versa), even as they bring histories of distrust of feeling of being "done-to" to the table (Miller, 1992; Forester, 1997; p. 46)

Forester cautions, however, that consensus-building efforts can fall short of democratic ideals:

> Too much of the negotiation and consensus building literature, for example, remains economistic, more concerned with trading and exchange than with learning, more concerned with "interest-based bargaining" and "getting to yes" than with the broader public welfare and the practical and political significance of public deliberation (Forester; p. 10).

While we agree with Forester about the shortcomings of exchange-based negotiations, we also cite a potential shortcoming of deliberative approaches, failure to bring the discussion to a decision that results in action. What we seek is a re-presentation of mediated negotiation that includes deliberation and negotiation that goes beyond simply exchange-based bargaining and that results in actionable outcomes. We argue that such a "model" would constitute a contribution to democratic goals and a template for democratic practice.

V. CONNECTIONS BETWEEN DEMOCRATIC THEORY AND MEDIATED NEGOTIATION

If mediated negotiation is to be considered a form of democratic practice, then what are the essential features that must be evident, given the propensity for practice to vary? Based on our foregoing discussion of democratic theory, and our admitted bias in favor of a definition that emphasizes individual human development as a constituent part of societal development, three aspects of mediated negotiation are particularly salient. These concern inclusiveness, the quality of participation, and relations. We are not arguing that this list is comprehensive, but it offer it as the beginning of a conversation aimed toward developing a clearer sense of the attributes of public decision making relative to democratic values and a framework for empirical research.

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10

Conflict Management and Community Partnering

Lessons from the Los Angeles
Empowerment Zone

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I. INTRODUCTION

The nature of conflict in cities in postindustrial America has grown increasingly complex. In every policy arena the number of participants, the volume of the debate, and the urgency of the situation at hand seem—almost as if staged for media consumption—to defy prevention, solution, or even management. Yet if this was literally true, urban America would be paralyzed. This chapter looks at the role of community partnerships in governance in one American city, Los Angeles. Los Angeles is often described as a bellwether city, portending the future for the rest of urban America. Our specific case study is of a response to urban conflict that boiled over in 1992: community partnering in the federal Empowerment Zone implemented in Los Angeles. The information presented in this chapter is part of a larger project analyzing governance and community change in Los Angeles, and is the product of in-depth field research and documentary analysis conducted by the authors over the past 5 years.

We begin the task of assessing the role of community partnerships in governance by taking a closer look at the role of conflict in governance. In a necessarily brief overview of conflict theory, we discuss common sources of conflict, differ-

ent types of conflict, and end this section with a discussion of the factors that contribute to the management of conflict. Then, we briefly examine the legacy of federal–city relations, highlighting the ebb and flow of policy ideas and practices designed to mitigate urban conflict. This is important because to understand what is happening in Los Angeles, we first need to appreciate the history that has shaped today's set of policy responses. In the chapter's third section we present a profile of the Los Angeles area designated as the Empowerment Zone and describe the Zone's main approach to dealing with the conditions that led to the 1992 unrest (for more on this topic, see Baldassare, 1994). The fourth section of the chapter assesses the progress of the Zone's community partnership using the factors noted at the end of the Section II. Our conclusion addresses the lessons learned and not yet learned about community partnerships, governance, and conflict in 21st century urban America.

II. CONFLICT AND PUBLIC POLICY

A. Conflict Theory

Conflict is central to the functioning of our political system. Among the benefits of conflict are that it promotes a number of positive adaptive responses, including developing a sense of identity, setting priorities, and providing legitimate grounds to organize and seek conflict prevention, management, and resolution systems. As such, conflict provides a lens for viewing governmental activity, including whether government intervention is appropriate, the type of intervention required, and the nature of its administrative organization and leadership (Schattschneider, 1960; p. 138). This attention to conflict is justifiable, especially in a time when Americans are faced with a litany of concerns ranging from citizen skepticism about the capacity of government, the effect on policy making of increased racial and ethnic diversity, and government's responses to these concerns. With downsizing, defunding, devolution, and decentralization as the political philosophy underlying policy for the past two decades partnerships have increasingly been viewed as mechanisms for enhancing governance and providing solutions to urban (and rural) problems (Clarke, 2000; p. 212–213; Kincaid, 1999).

Although the U. S. Constitution establishes the legal–institutional basis for intergovernmental conflict in the division and sharing of power among various political institutions at different levels, managing and administering public programs in this fragmented arena shifts the focus of analysis to the administrative and programmatic dimensions of governance and highlights the conflicts that arise in the implementation of government programs (Agranoff, 1986). This alerts us to both the vertical (national–state–local) and horizontal (local–local) relations and to the actors both inside and outside of government. Whether through pub-
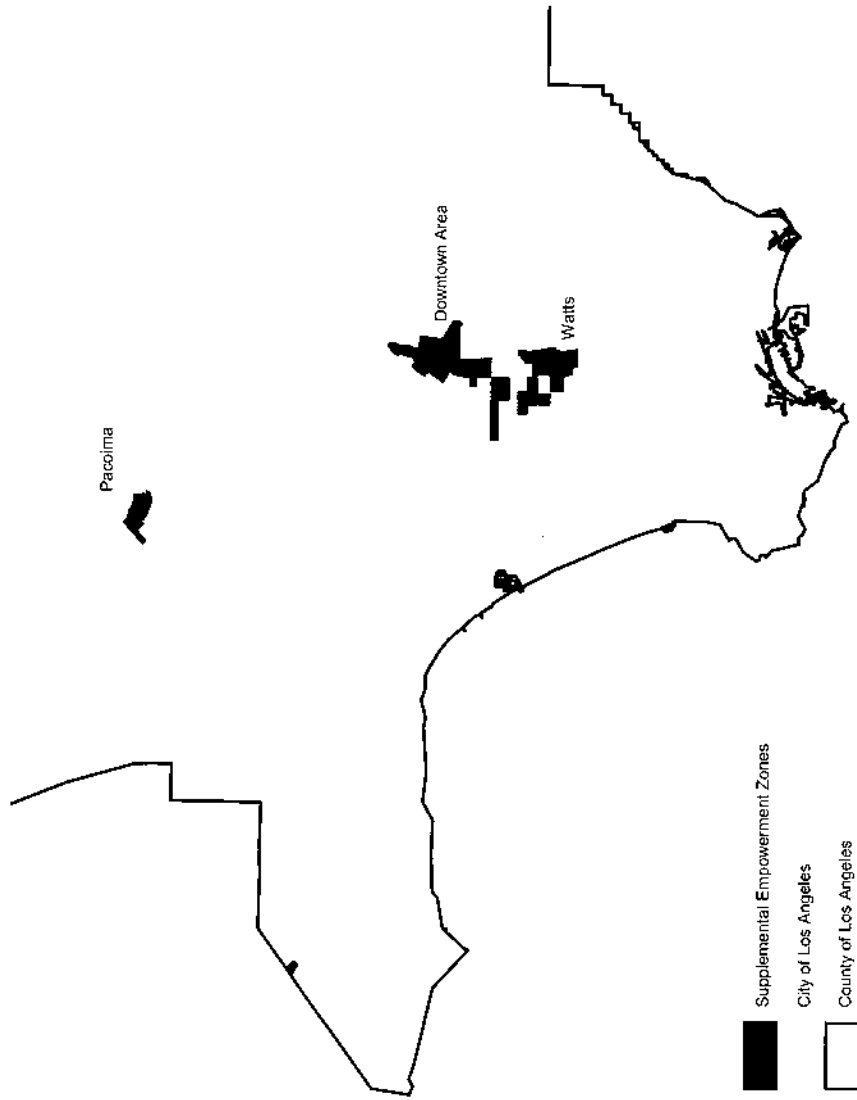
Figure 1 Los Angeles empowerment zone.

lic–private partnerships or the reliance on nonprofit sector providers, the complexities of conflict now require the professional's tool kit of essential skills to include techniques of citizen involvement and conflict management, as well as the more traditional skills related to the technical and interpersonal aspects of public sector management (Andranovich, 1995; Huelsberg and Lincoln, 1985; Lovrich et al., 1998).

Conflict is one of the main features of community partnerships, and managing this condition becomes a primary objective if the partnership's participants want to be effective. The first task for participants, then, is to be able to identify the sources of conflict. We tend to identify conflict more with its negative effects than its benefits. Conflict is negative when it causes disunity, alters priorities, forces the unproductive consumption of scarce resources, jeopardizes the development of coalitions, and prevents change. Common sources of conflict include differing value systems (including professional training), structural concerns, data issues, relationship factors, and behavior (Lincoln, 1989; Susskind and Cruikshank, 1987).

Although distinctions between different sources of conflict can be made theoretically, in practice, conflict is often multidimensional. As a result, the study of conflict management in intergovernmental relations has focused on efforts of collaboration, highlighting the characteristics and dynamics of overcoming conflict and working toward consensus (see, e.g., Gray, 1989; Hall, 1993; Mills, 1991; Wood and Gray, 1991). Gray (1989; p. 11), for example, identifies five preconditions underpinning successful collaboration: (1) stakeholders recognize interdependence; (2) solutions result from dealing with differences openly and creatively; (3) joint ownership of decisions exists; (4) stakeholders accept collective responsibility; and (5) collaboration is an emergent process. These conditions are not easily implemented, as the underlying sources of conflict may prevent any one of them from being achieved. Furthermore, some conflicts, such as those arising from disputes over rights, cannot be resolved collaboratively, whereas others can (Susskind and Cruikshank 1987). Nevertheless, in the end, resolving conflict is about reaching consensus based on the exchange of satisfaction; that is, the process of resolving conflict must include more than each party's exclusive focus in its self-interest (Lincoln, 1989; pp. 105A–110A).

Conflict management is successful when participants in the process are satisfied that the outcomes were the best possible ones and met the needs of all participants in ways that satisfied each party. Consensus does not mean that a love-fest has resulted, however, and often occurs with varying degrees of commitment and enthusiasm as the participants, all stakeholders, work toward achieving each other's interests or until agreement becomes impossible (see Susskind and Cruikshank, 1987; Gray, 1990).

B. Community Partnerships

Community partnerships are often presented as a viable governance mechanism for dealing with today's urban issues (see, e.g., Chaskin and Garg, 1997; Clavel, et al., 1997; Hula and Jackson–Elmoore, 2000; Riposa and Andranovich, 1999; Rubin and Stankiewicz, 2001). Community partnerships in the urban policy arena are about real—not apparent—participation, dialogue, and power sharing among government, private sector, and community stakeholders (e.g., Arnstein, 1969). Typically these partnerships take one of two forms: (1) linkages between two or more agencies and organizations from these societal sectors are established; or (2) representatives from these public–private organizations and groups can be integrated into a new partnership with a separate identity. Both types seek to achieve some goal or goals; typically these goals focus on economics (job creation, business attraction, and retention) and community building. The relations between partners operate along structured lines, usually set forth by contracts or legal agreements (e.g., memoranda of understanding), to establish the decision-making process and lines of accountability. Furthermore, in the current political climate partnerships have become a conventional component of public policy, incorporating local sovereignty and potentially reducing political fragmentation and alienation (Salamon, 1995). Community partnerships are recognized as effective liaisons to diverse communities, as tools for conflict reduction through joint decision making, and as cost-effective methods for achieving community change and capacity building.
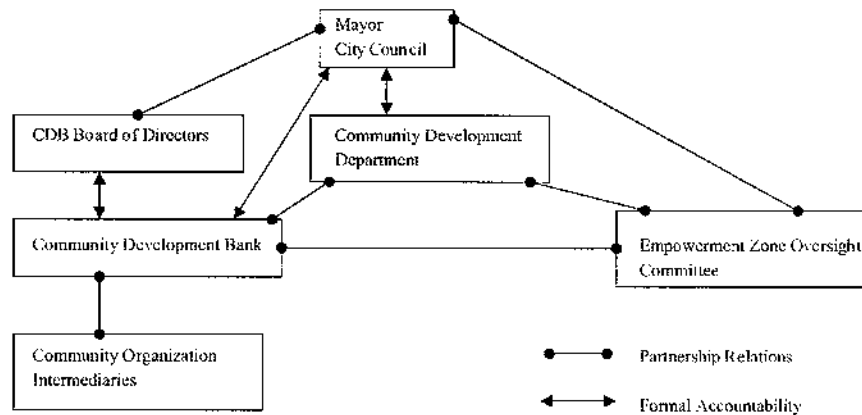
Figure 2   Los Angeles community partnerships.

Blending related, but different, interests into collective public decisions, however, can be extremely difficult in diverse urban communities. Many times the community perspective is not shared by the local government and often it is not incorporated into local government policy (Andranovich and Riposa, 1995). Economic development policy, for example, tends to emphasize job creation and business retention. While these are important objectives, a policy agenda favoring job creation and business retention is one that will generate revenues for local government. For residents, there is a need to tie these pursuits to neighborhood quality-of-life and human and community development. But economic development policy is often selectively consensual, made quietly and behind the scenes, and thus is often criticized as satisfying business and corporate interests at the expense of community interests. In a diverse community, where policy issues often are debated with a set of underlying conflicts related to racial, class, and ethnic change, neighborhood succession, and a host of other political issues (such as the grounds for political representation) close at hand, community partnering should not be accepted as a panacea for all ills.

Nonetheless, if community partnering is to succeed, then certain key elements are necessary. Process mechanisms must be in place to develop consensus

Table 1   Factors Influencing the Success of Community Partnerships

Environmental factors
- History of collaboration or cooperation in the community and with the city.
- Partnership is seen as a leader in the community.
- Political/social culture and climate favors the existence and goals of the partnership.

Membership factors
- Mutual respect, trust, and understanding among partnership members.
- Partners value collaboration as in their self-interest.
- Appropriate diversity of membership from the community at large.
- Reasonable ability to compromise in operating the partnership.

Process factors
- Partners are stakeholders in both the process and the eventual outcomes.
- Clear roles and policy guidelines developed.
- Multiple layers of decision making.
- Willingness to adapt structure and goals as needed.
- Reasonable amount of flexibility in partnership operation.

Communication factors
- Open and frequent communication among the partners.
- Informal and formal communication links.

Resource factors
- Sufficient funds to operate the partnership.

Source: Mattessich and Monsey (1992).

around a purpose (mission) and the belief that it is more achievable through collective, rather than independent, action as well as to reduce conflict, shorten the learning curve, ward off arbitrary decision making, and share in claiming credit and accepting responsibility. Additionally, the partnership must connect with and direct action toward a community stakeholder population. Table 1, adapted from Mattessich and Monsey's (1992) metaanalysis of 133 studies, provides one operationalization of the theoretical discussion of conflict management in an intergovernmental setting. The more fully a partnership manages to address these factors, the greater its likelihood of success, both as a policy-making mechanism and in terms of achieving positive outcomes of conflict management.

The foregoing elements and factors present the outline of a broad strategy for forming community partnerships and, in many cities, including Los Angeles, producing a strategy for managing conflict in the face of change. However, this strategy does not guarantee success if participating parties indulge in self-interested behavior. The community-partnering relation is about rising above parochial interests to a new level of dialogue and action that fosters community building, including managing conflict.

III. LEGACY OF FEDERAL–CITY RELATIONS

The national government has played an important role in local governance, and this role has influenced political, economic, administrative, and social choices made in many communities for how conflict has been addressed (Kleinberg, 1995; Keating and Krumholtz, 1999; Nice and Fredericksen, 1997). By providing direct support to urban areas to alleviate poverty, preserve neighborhoods, promote various types of social reform, and promote human development, the national government has created a system of incentives to encourage, and some might argue to force, cities toward certain policy approaches (Downs, 1994). Such aid has not been without controversy. Policy debates over whether aid should target places or people, whether government policy should shape the labor market, and whether policy should focus on regional growth or on poverty alleviation in the central city reflect the cracks and fissures among scholars and practitioners about the "right" way to resolve urban conflicts.

However, many other urban programs, including wage supports, crime reduction, and reforms in health care, welfare, job training, and education exist under the auspices of various federal agencies, benefiting city residents in important, but indirect ways. Most of these programs remain so hidden to the urban resident that Ross and Levine (1996; pp. 432–433) have characterized them as "stealth urban policies." Waste (1998, pp. 20–24) argues that the difficulty with these programs is that urban problems and policies remained politically invisible through the 1990s, in part a result of their failure to attract public support. With

suburban constituencies becoming increasingly important in presidential elections since 1968, rural interests ascending in prominence in the U. S. Senate, and conservative approaches dominating the federal policy agenda in recent years, urban issues have been relegated to a lower position on the national policy agenda. Yet a key question remains in the urban policy-making process: who speaks for local community interests?

The national government first supported citizen participation in the Housing Act of 1954. This was in response to the negative public reaction and community conflict generated by urban renewal. The national government's support of urban constituencies flowered in the 1960s as federal aid, targeting poverty and inner cities, took hold. This support provided direct access and representational weight to various community groups, often from low- and moderate-income areas, and facilitated the emergence of diverse local voices and policy demands in the political process. Such access often led to conflict over how urban problems were defined and prioritized, as illustrated by the oftencited example of the effects of "maximum feasible participation" on Democratic mayors in big cities, key supporters of then-President Johnson's programs (Kleinberg, 1995; pp. 159–168). In this instance, a harbinger of things to come, community interests lost out to local elected officials.

The 1960s Model Cities program in the newly formed Department of Housing and Urban Development (HUD) expanded participation by initiating comprehensive, coordinated bottom-up planning in the implementation of neighborhood revitalization (Kleinberg, 1995; pp. 175–178; Waste, 1998; pp. 48–49). At the time, Cox and Garvin noted an important element of program design: ". . . developing new programs within existing civic institutions or to create new institutions where necessary [was] muted . . . by developments which made the existing city governments powerful partners in any operation, under the rationale that coordination and accountability were necessary" (1974; pp. 55–56). In early 1969, however, newly elected President Nixon's "planned variations cities" provided the test for his new federalism initiative within the Model Cities program, effectively beginning the decentralization of federal urban policy initiatives to state and local governments (Kleinberg, 1995; pp. 181–183). By the 1980s, the Reagan Administration had changed the policy orientation concerning various civil institutions, including community organizations involved in policy making, perceiving them as threats to the free flow of markets shaping urban destinies (Koschinsky, 1998). Eisinger (1998; pp. 320) describes the changes in local politics that resulted as a shift toward managerial values such as reinvention, innovation, privatization, competition, strategic planning, and productivity improvement. These values tend to reinforce the power of business at the local level, diminish the interests of communities, and add another potential layer of conflict under the surface of everyday life in communities.

Although the national government's role in urban policy has been the subject of much debate, its efforts toward community building also have been evident as a way to manage urban conflict. Dreier (1996; p. 124) notes that several federal agencies have sponsored community support programs. HUD's legacy, in addition to the Great Society landmarks, includes tenant management, neighborhood development, community-based fair housing monitoring, home ownership counseling, and negotiating-to-purchase programs, all of which have an element of capacity building. But HUD has not been alone. The Department of Justice has supported community-based arson prevention, crime watch, and similar neighborhood-oriented improvement programs. Even the U. S. Environmental Protection Agency (EPA) provides support for grassroots environmental groups to identify local health hazards, investigate neighborhood effects of toxic waste sites, and monitor pollution control efforts. These programs are examples of capacity-building efforts that have the potential to empower communities and give voice in policy debates to nonmarket, community-based concerns such as shelter, safety, and health.

Ending a decade-long drought for a national urban policy, the Omnibus Budget and Reconciliation Act of 1993 included in it legislation establishing a national–local partnership based on tangible linkages in funding, tax incentives, and technical assistance to generate business, jobs, and social programs in an eligible city's most poverty-ridden areas (see Riposa, 1996 for a more comprehensive description of the national program). This Empowerment Zone Act expanded and institutionalized the national government's stance on direct intervention in urban affairs and the role of community participation in local politics (see Servon, 1999; Chap. 2).

To assist selected cities in establishing economic development projects in their poorest areas and to encourage a wider distribution of program benefits, especially to targeted community residents, the Empowerment Zones policy underscored community partnering as a necessary, although often missing, ingredient for successful urban economic development. While not drifting far afield from the notion that any business is good for the entire city, Empowerment Zones policy brings the community into this traditionally corporate-oriented policy arena by maintaining that community partnering, in both design and implementation, will encompass a wider set of needs and distribution of benefits than those dictated by city officials and developers; that such community participation will create a stronger sense of legitimacy surrounding development projects, thereby, engendering greater public support; and that this community input will generate a new social and professional network, including new leadership opportunities for stakeholder communities, thereby increasing capacity building and self-determination, and providing additional capacity to manage potential conflict.

IV. THE LOS ANGELES EMPOWERMENT ZONE

A. Community Profile

Although not initially awarded an Empowerment Zone in the initial 1994 competition, Los Angeles qualified for supplemental Empowerment Zone designation and became eligible for economic development funding from HUD. Denied the benefits of full zone status, LA's supplemental designation offered neither tax incentives for businesses employing Zone residents nor the highly valued 100 million dollars in Title XX funding for promotion of social and educational projects within Zone communities. Instead, in 1995 HUD and the City and County of Los Angeles struck an agreement to fight poverty by creating a community development bank, which would become operational in 1996 as a 10-year pilot program. In 1998, HUD upgraded the City's supplemental status to that of a full Empowerment Zone with tax incentives to become effective in the year 2000, but without social services funding. Still, the Bank remains the Zone's central engine and the city must adhere to the requirements of community partnering.

Los Angeles' Empowerment Zone covers an area of approximately 19 square miles encompassing low-income communities from Pacoima in the San Fernando Valley to Boyle Heights, the east downtown corridor, the historic central corridor, Central Avenue, the Slauson industrial corridor, the Broadway district, Watts, Firestone, and Willowbrook. In addition, the Zone is encircled by a 1-mile buffer area eligible for Zone benefits. Those unfamiliar with the geography of Los Angeles should note that the Zone includes much of South Central and portions of East LA, where race and poverty converge with unremitting intensity (see Baldassare, 1994).

The Zone communities present a striking contrast to the soaring fortunes of postrecession California in the late 1990s. State jobless rates plummeted to a decade-long low of 5.9%; LA County's rate declined to 6.3% (State of California, 1999). Projected job growth over the next few years is estimated at 2.6% (Southern California Association of Governments, 1999). In an economy dominated by service industries, the Los Angeles–Long Beach metropolitan area has gained 37,000 jobs, with business services, health services, and retail making the largest gains (California State University, Long Beach; 1998).

In contrast, of the 1642 census tracts in LA County, 413 are poverty tracts, defined as having 20% or more residents whose annual earnings are below the poverty line (for a more detailed discussion, see Modarres, 1999). Of these poverty tracts, 41 are now within the Empowerment Zone and these represent 200,000 people. At 40.2%, the area's mean poverty rate is noticeably higher than the county's mean poverty rate of 30.4% and the national rate of 32.7% (U. S. Census Bureau, 1990). Predominantly populated by low-income and working-class African-Americans and Latinos who occupy a disproportionate number of low-paying

jobs (e.g.; in cleaning, food service, and machine operation), the Zone offers limited opportunities for economic mobility (Dear, 1996). Barely one-quarter of Zone residents are homeowners and the prospect for home ownership is becoming even more tenuous as the housing gap continues to widen (Rohrlich, 1998). Per capita income is roughly one-third that in the rest of the county. Living in poverty and faced with eroding educational resources and few job-training opportunities, an average 38% of the area's youth do not attend school, and 79% of those enrolled do not complete high school (City of Los Angeles, 1994). The gaps between the new economy, the new geography of poverty, and public policy continue to be a source of conflict in these areas.

B. Focus on Partnering

Community partnering is at the core of the design of LA's Empowerment Zone, constituting both formal and informal sets of potential power-sharing relations. A 1995 Memorandum of Understanding between the City of Los Angeles, LA County, and HUD states four goals for the partnership: economic development; sustainable community development; community-based partnerships; and a strategic vision for change. The remainder of this section describes the roles of the partners.

The Bank has worked hard to invent its identity and nurture legitimacy in the community while maintaining its focus on the Zone's economy. As the Bank's first CEO Robert Kemp put it, the business climate and jobs are only a means to an end, "the real goal is to lift up and raise economic conditions of the residents living in the Zone" (interview, 17 Aug 1998). However, the Bank is one of several programs providing capital to Zone communities; several other state programs (e.g., state enterprise zones) have been in the same communities for a longer time and several of the many federal programs do not have as stringent reporting requirements as the Bank (e.g., Small Business Administration loans). To overcome these potential difficulties, the Bank initiated a comprehensive and aggressive marketing strategy based on community outreach and partnering. The Bank cooperates with the City's Community Development Department (CDD), which staffs most of the community development efforts in LA's poorest community areas, in planning loan strategies for business development and employment in the Zone, and has implemented its community partnering role through interactions among its Board of Directors, its community-based intermediary organizations, and the EZOC (Empowerment Zone Oversight Committee).

The 15-person Board of Directors monitors the Bank's activities and reviews loan applications. Additionally, board members act as "ambassadors" for the Bank, discussing its mission and services at various community events and public forums (M Madrigal, Bank Communication Specialist, interview, 24 Aug. 1998). Given the Board's membership (eight from the private sector, seven from

the public sector, and at least four members must be residents of the Zone) and its "public-oriented" institutional view, it channels community interests into the Bank's agenda and governance structure.

Striving to strengthen its connection to the Zone's communities, the Bank initiated an innovative program for nonprofit, community-based organizations to solicit potential loan applicants, work up loan packages, and conduct preliminary reviews in their communities ("Intermediary Programs," 1997). As the Bank's Intermediary Manager Mari Riddle indicated at that time, the strategy was for intermediaries to connect the Bank with the community in making loans that would enhance the area, while also building skills and financial expertise within the community (interview, 25 Mar. 1998). Because the intermediaries come from different ethnic communities (Barrio Planners, FAME Renaissance, Asian Pacific Revolving Loan Fund of LA, TELACU, and Valley Economic Development Center were some of the participants in this program [Los Angeles Community Development Bank, 2000]) the Bank is providing more than access to financial resources; it is also providing another channel for community concerns to gain a voice in the politics of economic development.

The EZOC is viewed as the primary focal point of partnering and was designated as the original community governing body in the initial Los Angeles Zone proposal. Much smaller than first envisioned, the EZOC's 11 members (1 is nominated by the City Council member from each of the six districts represented within the Zone, 4 are referred by the mayor, and 1 is recommended by the LA County Board of Supervisors) either work or live in the Zone and bring extensive experience in community service to this new job. This citizen's committee represents Zone communities through its oversight of a broad range of activities pertaining to economic development. Working predominantly with the CDD, the Committee monitors various programs and outcomes (e.g., Bank's loan policies, brownfields, and job training and placement). To promote the Bank's mission, one member of the EZOC was to sit on the Bank's board, although this has not yet occurred. In addition, the Bank reports at the EZOC's monthly meetings, which are regularly visited by senior Bank officers. Although the EZOC has no legal authority or veto power, if the city or the Bank repeatedly ignores input from this community-based committee (which exists in various iterations as a required component of every Empowerment Zone), HUD could question the program's commitment to partnering and reevaluate its commitment to continued funding. Until HUD demanded it in 2000, little contact existed between the Mayor, the City Council, the CDD, and the programs community participants. Furthermore, the "arm's length" relation between the city and the Bank was mirrored in the relation between the EZOC and the CDD: in its first 3 years, the EZOC had multiple points of contact at the CDD; however, these were consolidated when the CDD's current director took over operations.

This network of institutions, then, constitutes the formal community partnership within the Empowerment Zone. On paper, it manifests the essential key elements for effective partnering. All participants understand and support the program's mission to enhance the economy and lives of Zone residents. Furthermore, it is agreed that each party needs all of the others to achieve program goals. But can this community partnership achieve the goals set out in the MOU?

V. COMMUNITY PARTNERING: A 1000-MILE JOURNEY

To determine whether the partnership approach is a viable alternative conflict management and community change mechanism in Los Angeles, we examined the factors influencing successful community partnerships. As noted earlier (see Table 1), these factors were derived from an analysis of 133 studies of collaborative efforts in several public service fields and serve to operationalize conflict theory (see Mattessich and Monsey, 1992). Before we discuss the factors in Table 1 in the LA Empowerment Zone, however, a brief word about the Los Angeles Community Development Bank is needed.

The Los Angeles application to HUD for an Empowerment Zone was not strong enough to pass muster. When Los Angeles did not receive an Empowerment Zone, HUD instead suggested a community development bank that was capitalized with 430 million dollars in Section 108 and Economic Development Incentive funds. The Section 108 loan guarantees came with a political risk: these are secured by the City's Community Development Block Grant (CDBG) funds, which often provide social service programs in inner city areas. Furthermore, to qualify for one of the Bank's loans, a borrower must first have been declined by a conventional bank, have a suitable business plan, demonstrate that for every 35,000 dollars borrowed, one job will be created or maintained, and agree that 51% of new hires or jobs retained will be allocated to Zone residents. Although several large conventional banks made promises to co-lend with the Community Development Bank, this was contingent upon the quality of loan applications. As then-Vice President Gore noted, "By all measures, this is the largest and most extensive community banking opportunity in the United States of America or anywhere else" (Los Angeles Community Development Bank, 1996). The design of the LA Community Development Bank, the engine of the City's Empowerment Zone, promoted conflict. There was political risk associated with its funding sources, financial risk in its loan applicants, economic risk in its definition of job creation, and administrative risk in its connections to commercial lenders.

Environmental factors refer to the broader "climate" for partnering; in Los Angeles the climate is an outwardly hostile landscape for collaborative relations. Although there are numerous community-based organizations across the city, coupled with multiple unreconciled race and class divisions and a seabed of

social critics and activists, Los Angeles has not exhibited a history of courting community interests beyond that of neighborhood geography, giving city residents a feeling of estrangement from neighborhoods other than their own (Fulton, 2001). Entrenched race and class divisions sharpen this sense of separation, resulting in distrust that makes dialogue and organizing across community lines difficult.

The political climate presents the biggest obstacle to partnering. City government is large, fragmented, and unwieldy (Andranovich and Riposa, 1998; Schockman, 1996). Neither the city council nor the mayor, while well-intentioned, has been able to reduce the social and political cleavages that undermine collaborative efforts; building an effective governing coalition remains the grail in Los Angeles. Indeed, because of term limits on local offices, the year leading into the 2001 elections saw little activity toward the zone, with vacancies on both the EZOC and Bank boards going unfilled and little zest for engaging in the fight for zone communities from either the "termed out" Mayor or Council members. Furthermore, local agencies involved in economic development frequently work in isolation from one another, even on related projects, and too often perceive anything beyond moderate advisory community input as counterproductive to efficient program implementation (Steve Andrews, Community Redevelopment Agency; interview, 20 June, 1997). In addition, all are territorial resulting in an unfortunate and all too frequent occurrence: communities, especially those of color, look upon government programs with suspicion, where government views power sharing with disdain or, at best, with polite indifference. Reverend Leslie White, past EZOC chair, agreed that this government–community disconnect has hurt community partnering, particularly in the Zone. He criticized the city council and the mayor for neither meeting with, nor contacting the EZOC to discuss their respective roles in rebuilding a major portion of the city's poorest neighborhoods (interview; 18 Oct., 1997). Rather than providing a context for success, the geographic, social, and political environment has led to additional conflict between participants; some even question the legitimacy of the partnership itself.

It is important to note that valuing community participation and realizing that cooperation is a nonnegotiable part of the Empowerment Zone process have set the tone for conflict. Robert Kemp, the Bank's first CEO, publicly stated that he would try to "bring everyone into the process." Having worked through a number of rough spots concerning role expectations, the Zone partners (EZOC, Bank, CDD) have worked together on such important tasks as facilitating more federal grant dollars to the Zone, assuring that Zone businesses have access to bank loans, and ensuring that related development policies do not undercut quality of life issues important to Zone residents (R Perez, Manager Special Economic Incentive Zone Programs; interview, 12 Mar 1998; L. Rojas, Vice-chair EZOC and member CDB Board of Directors, interview; 14 Sept., 1998). In addition, environmental adaptation helps explain the Bank's decision to bring community-

based organizations into the partnership as intermediaries to develop a stronger linkage with its stakeholder community and extending loans to those who are most in need. However, tensions remain. Although this collaboration in the trenches to achieve collective goals has shown that partnering can work, it is clear that other factors, including divergent communication capabilities (discussed later), have contributed to the slow development of a true partnership.

Membership factors address the relations among the partners; in LA these relations are tenuous. Reflecting the gender and ethnic demographics of the community at large, participants also represent an array of professional backgrounds and personalities. Among the participants collaboration is perceived as essential to the Empowerment Zone's mission. Even in times of conflict, one witnesses a certain level of respect between the participants and institutions. Confrontation forced parties to reconsider their positions and to redouble their efforts toward cooperation and openness. As a result, relations are more collegial and oriented toward compromise and problem solving, rather than centering on personalities (Caron Caines, EZOC member; interview, 7 Dec., 1998). For example, the EZOC and the CDD are working more closely on secondary education and Bank projects. Responding to the EZOC's concern about long delays in processing loan applications, the EZOC and the Bank formed an ad hoc committee to streamline the process to more rapidly infuse capital into the Zone, and the Bank continued to work with intermediaries concerning loan processing difficulties.

Nevertheless, relations among the partners are still evolving and trust has been elusive. As EZOC member (and current Chair) Cheryl Branch remarked, "Sometimes our agendas are the same, but that can change" (interview; 26 Feb., 1997). Many of the differences seen among participants have to do with what might be called the central paradox of this partnership: the specificity of the Bank's role in contrast to the ambiguity associated with the role and relations among the Bank, the CDD, and more particularly, the EZOC. However, in the summer of 1999 one of the Bank's biggest customers went into default, and this had a ripple effect throughout the partnership. The Bank filed a reorganization plan with the city and has effectively narrowed its position relative to its activities in the Zone. Indeed, the Bank's consultants even suggested that the term "Bank Zone" was more appropriate than "Empowerment Zone" as the way to refer to the Bank's service area (LACDB, 2000; p. H-10). This shifts the nature of the community partnership onto strictly economic and financial ground without consideration of the social and political mechanisms for managing conflict in the Zone. In the early stages, membership issues and questions related to standing led to a lack of trust, which limited the potential and productivity of the CDD/EZOC side of the partnership. Because of the recent political fallout resulting from the Bank's lending practices, the dilemma brought about by this paradox of role ambiguity may contribute to the demise of the Bank.

A third set of factors are process factors. Members across the partnership network are stakeholders, connected to the Zone through business, profession, residence, or personal ties. They are motivated to achieve their goals and will be affected, whether positively or negatively, by eventual program outcomes. Granted, some participants were casualties of the grueling program start-up phase and the concomitant frustrations accompanying this process. Such attrition particularly affected the EZOC's ability to attain quorums at meetings, the venue for formal decisions. Other parts of the partnership have been less affected and, at present, the EZOC has retained a core of motivated members who meet and fulfill their responsibilities, most recently holding a strategic planning retreat in November, 2000.

Mirroring the larger political environment in which it exists, multiple decision-making points exist in this partnership, creating a decentralized system with numerous access points for participant input on such issues as loan protocols, educational task forces, community meetings and trainings, and support for prospective grant projects in the Zone. What has bogged down more decisive decision making has been the ambiguity of roles within the partnership. This problem was less acute for the Bank and its board because these participants have a fairly clear objective: to generate jobs by targeting loans to a capital-starved sector of the city. Still, the Bank also had to define the nature of its relation with its policy partners and later, with community intermediaries. For the EZOC the ambiguity was more difficult to resolve. As Marilyn Lurie, Director of the Community Development Department in 1997 stated, "the problem is that the committee was told to govern, but they have no programs to govern and no resources to govern with. Yet HUD continues to hold our program to the rhetoric of community empowerment and governing" (interview: 24 June, 1997). Punctuating the EZOC's frustration, former Chair Reverend White noted in 1998, "We did not have a clear strategy to get us on our feet . . . We had to learn as we went along, slowing us down . . . Later we found out that we did not have the glory jobs like granting loans, but instead, the sweat work of trying to find out what we should do, how we should do it, and how to make the public voice heard" (interview: 27 Jan., 1998). Without an accurate understanding of its role in the partnership the EZOC tried to do everything, resulting in frustration and temporary disengagement, especially from the CDD (Naomi Nightingale, EZOC member: interview, 18 Oct., 1997).

Communication factors also have proved important in the maturation of the partnership. In addition to formal communication that has resulted in shared community data and activity reports, crossover attendance at meetings, and interaction on points of mutual accountability, new lines of informal communication have formed within the partnership. Although the combination of these developments has started to generate trust through experience in sharing data and making joint decisions, the uncertainty generated by the Bank's recent defaults has had

a negative influence on other things. At present, the Bank's new (the third) CEO and senior staff are meeting regularly with the other partners to keep them abreast of organizational changes, legal challenges, and economic practices.

Behind the scenes of the recent default is another aspect of the communication challenge that can be captured by language differences. We refer to both the difficulties meeting the multilingual needs of the partnership and in terms of the different "languages" of professional practice. In the neighborhoods served by the community intermediary program, for example, a variety of languages (from Spanish to Korean) are spoken. Finding and retaining multilingual staff to do outreach and develop loan packages is a challenge for community-based organizations. Furthermore, bridging the other language divide—between innovative lending practices to high-risk clients and the more conservative bank-style of lending—has made several of the community intermediaries critics of the Bank. Among the issues raised by the community organizations is the culture clash that is heightened by both sets of language differences.

Finally, resources have been a factor in conflict around the partnership. As the current EZOC chairperson puts it, "Without resources, you get no respect" (Cheryl Branch; interview, 7 Sept., 1997). This sentiment taps into the material necessity and symbolic importance of having the resources to conduct business and initiate programs. The Bank began with a budget, albeit one that was constrained; consequently, the Bank and its board had the finances to hire staff, develop operations, and conduct outreach activities. However, the EZOC was granted no operating funds and, with the help of the CDD, had to lobby the Los Angeles City Council for assistance. Without a budget, the primary community organization of the Empowerment Zone did not have the ability to make a phone call, send a fax, or buy stationery, much less to sponsor a workshop or conduct educational outreach. This funding gap signaled to other partners and the community at large that the EZOC was nothing more than a symbolic entity with questionable ability to influence policy. After extensive discussion and effort, in 1999 the City Council granted the EZOC 110,000 dollars for operating expenses and activities.

VI.   LESSONS LEARNED FROM LOS ANGELES

Partnerships have become a common policy response to the general call for "less government." Many times, it seems, partnerships are discussed as though they were a one-size-fits-all solution to the challenges to democratic governance, including enhancing access to resources, building political representation, and tightening lines of accountability. Furthermore, the idea that a partnership can be implemented without much thought to its design, or that a network can be made

functional in a matter of weeks, are all part of the mythology of partnerships (see e.g., Clarke, 2000; McLaughlin, 1991; Miller and Tufts, 1988; Woodside 1986).

The lessons from the Los Angeles Empowerment Zone are a sobering reminder of the limits of community partnerships. In their research into the problems surrounding the Los Angeles Community Development Bank—the public–private component of the broader community partnership discussed in this chapter—Rubin and Stankiewicz identify "six potential problems that can occur in public–private partnerships" (2001; p. 146). We list these first, and then address the larger issues inherent in community partnering. Rubin and Stankiewicz found six specific problems that stemmed from the design of the Bank (2001; pp. 146–149). First, the Bank was not a true partnership in that key sets of relations were not developed. Second, the Bank placed too much faith in business practices. Third, the Bank was at the center of a packaging and marketing effort, rather than a "systemic change" effort. Fourth, there were problems with conflicts of interest and cost shifting with potential private sector partners. Fifth, the partnership decreased accountability. Finally, in addition to the decreased accountability, the Bank became a less efficient organization. Since the Bank is the engine of the Empowerment Zone program in Los Angeles, this critique is important to policy learning. However, as we have shown, the community partnership is broader than the Bank, and it is to this level that we turn now.

At the more global level of community partnerships, the first lesson is that the *more comprehensive the focus of the partnership, both in terms of geography and functionality, the more difficult it will be to implement*. In LA, the human geography of the Empowerment Zone neighborhoods, and the fragmented and contentious political environment surrounding them should have suggested that the partnership model would take a considerable amount of preliminary ground work to become effective. At a functional level, the MOU's four goals, which ranged from economic development to sustainable development, were too far-reaching for an area devastated by nearly 30 years of neglect. Two locally inspired top-down attempts (top-down signifying that these were placed in the community) preceded the Empowerment Zone's Community Development Bank—Rebuild LA (RLA) and LA Prospers Partners—and both were short lived, although some of the staff from these earlier organizations made their way into Empowerment Zone organizations. But both organizations aspired to fill a gap in the community, like the Community Development Bank. Unfortunately, and this is our second lesson, the need in these communities was not for another channel for funds (several state enterprise zones blanket these communities, as do several city and federal programs), but rather *there was a need for nonfunding mechanisms that were more sensitive to community interests and could serve to build community capacity* (for two excellent and nuanced discussions of community capacity, see Chaskin, 2001 and Turner, 1999). The importance of putting a process in place to facilitate community development—whether in terms of resolving positioning

disputes over access to capital and decision-making mechanisms or finding common ground and then building consensus over how to make it more politically useful to advance neighborhood objectives—requires a different approach than focusing on the economy.

At the policy level, the issue of policy design is immediately apparent by its absence. An Empowerment Zone that does not address "empowerment" will become the target of cynicism and lose the opportunity to be a legitimate voice for change in the community. In the aftermath of the 1999 failure of one of the Bank's largest loan clients, the reconceptualization of the Empowerment Zone into a Bank Zone suggests that this has already occurred (Los Angeles Community Development Bank, 2000, p. H-1). While the Bank's staff did work very hard to meet their economic development targets, the third lesson is that no matter how hard staff work, *oversight is necessary and when there is little monitoring of projected outputs (loans made, jobs created), partners can fall into the trap of raising their targets each year, almost as if to make up for the previous year's shortfall* (for more on this phenomenon, see Wedig, 1994). A more well-thoughtout policy design for the Bank could have identified these problems; after all, there are other community development banks in existence that went through all sorts of growing pains, yet none of those lessons were applied to the LA Bank. In 2000, facing cross pressures from HUD, the city, and its partners, the Bank attended a forum to explore how it could reorganize and learn from the experiences of other community banks. The fourth lesson is that this type of *experiential learning feedback ideally should occur when new organizations are being formed as part of the design process rather than after numerous problems have occurred*; it is a hard lesson that was not learned in Los Angeles.

The idea that an operational network will emerge when a mix of old and new governmental and nongovernmental organizations are put together goes against the experience of making collaborations work. There was no adjustment period for participants to get to know their own roles, understand how they fit into the partnership, and what the roles of the other partners were. As a consequence, there was a prolonged struggle to develop an active network that included a key community-oriented component, the EZOC. The EZOC, however, did not have the resources that other participants had, and as a result had a more difficult time within the partnership. Ironically, the EZOC is just today beginning to hit its stride as a member of the partnership, at the very time that the Bank's future is in doubt. If the EZOC had been able to work more closely with the Bank and bring community interests to the table, is it possible that the Bank might have done things differently? While the answer to this question cannot be known, the fifth lesson is that *community partners must be nurtured to overcome resource gaps and questions about their legitimacy as full partners in the early stages of the partnership*. This is not an easy and straightforward task, as perception and misperception seem to play an important conditioning role in how participants

approach the idea of "partnership." The EZOC and the Bank's Board of Directors, for example, could have been tied together more closely if an overarching framework for community governance had been established more explicitly as a part of the MOU.

At a practical, organizational level, one of the keys to effectiveness is, again, resources. *Organizations without resources cannot exist in a meaningful way*, yet the EZOC—the centerpiece of the community side of the partnership—did not have the resources to function as an organization at the beginning of the 10-year pilot program and had to go before the City Council to ask for funds. Furthermore, as illustrated by the Bank's community intermediary program, the difficulties of developing staff expertise in a technical area, such as making loan applications with high-risk clients, were less difficult than keeping trained staff. This is one of the challenges of community capacity building: *funding mechanisms need to be developed to permit community-based organizations to train and retain trained staff who can perform specialized skills*.

Taken together, the lessons from Los Angeles illustrate the that policy design, strong local political support including supportive monitoring and providing resources to the community side of the partnership to "level" the resource imbalance, and support for human development (recruiting, training, preserving) are key preconditions for community partnering to work. The importance of these factors, and the difficulties inherent in achieving them, point to the critical role of policy design and establishing realistic expectations if a key governance resource is to be more than the agent of either government or business in the 21st century.

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11

The Method of Dialogue

Promoting Understanding Between Hawaiians and Non-Hawaiians

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I. INTRODUCTION

Over the past decade there have been a number of initiatives around the country to promote the concept of dialogue. These groups use a format that encourages listening, understanding, and deliberation. The goal of the dialogue process is not consensus, decision-making or action—although some groups do move to some form of action as a result of the sessions. The goal of these processes is deeper understanding of the complex issues that divide us. The Public Conversations Project, Study Circles, National Issues Forums, and other initiatives have used this process on highly contested issues from abortion, violence, and racial and ethnic tensions, to specific local conflicts. The goal of these processes is generally focused on the misunderstandings between groups. They are seen as techniques to prevent conflict and reduce prejudice, rather than the resolution of specific disputes. This chapter will focus on the concept in reference to the conflicts that are arising out of the claims for Hawaiian sovereignty in the State of Hawaii.

II. HE AU PAPA 'OLELO: A TIME FOR DIALOGUE

In 1997 a small group of Hawaiians and non-Hawaiians decided to experiment with the Study Circles model to promote dialogue on the issue of Hawaiian

sovereignty. This method holds great promise for increasing the quantity and quality of discussion on Hawaiian sovereignty and for other issues in Hawaii and elsewhere. The study circle method was chosen because of its emphasis on dialogue, rather than on other methods that focus on reaching agreement or taking some form of action. This emphasis was very important because of the concerns of Hawaiians that non-Hawaiians not try to determine what is best for Hawaiians. While many Hawaiians wanted more dialogue with non-Hawaiians they wanted to ensure that this initiative was seen as distinct from the self-determination efforts of the Hawaiian people. It was decided early on that any suggestion that the group consider action as the outcome of these sessions would be inappropriate. Most Hawaiians think that any discussion of action or the merits of the different models of sovereignty must be the sole prerogative of Hawaiians at this point.

The purpose of the *He Au Papa 'olelo* project was to organize a series of quiet, private discussions between Hawaiians and non-Hawaiians about sovereignty. It was important for many individuals that they be private because people needed to know that what they were thinking and feeling would not leave the room. This allowed public officials, activists and others to say things that might be considered inappropriate or that could be misunderstood if made public. This principle also allowed for participants to speak as individuals and not as representatives of specific groups or perspectives.

Between 1997 and 1999 there were six groups that went through the process. In 1999 there were positive evaluations of the six groups and past participants expressed the need to continue and expand the project. In 2000 and 2001 there were dialogues nearly every month. By December of 2001 nearly 350 people had participated in the dialogues.

The steering committee members were initially able to finance the dialogues through volunteer work and assistance from their organizations, but this became more difficult as time progressed. The steering committee expanded, developed new strategies and approached local and national foundations for funding. The *He Au Papa 'olelo* project received funding in late 1999 to expand the project and to facilitate at least 12 groups statewide in 2000. Funding for 2001 from local and mainland foundations provided for additional groups and logistical support.

The emphasis of these sessions was not on debating the form of sovereignty, but rather was concerned with what sovereignty will mean for the community as a whole. This issue is one of the most important Hawaii faces and requires focused, patient, and careful discussion. Hawaiians and non-Hawaiians must understand the hopes and fears that lie behind the more vocal public positions that are asserted in the media. The goals for the dialogue are

Deepen the quality and quantity of participation in discussions about Hawaiian sovereignty

> Understand the perspectives, values, assumptions, and principles that under-
> lie the views participants have about sovereignty.
> Demonstrate that we can have good, productive, and engaging conversa-
> tions about tough public issues.

To understand why this process was chosen and the implications of the project it is important to understand the context of the conflict.

A. Background: The Issue of Hawaiian Sovereignty

The issue of Hawaiian sovereignty is extremely complex. The intent in this space is not to fully cover the historical or current issues surrounding Hawaiian sover-eignty, but rather to provide some background as to why this is such an important issue to all citizens in Hawaii and why the dialogues needed to be structured in some unique ways.

The coverage of Hawaiian issues by the local media is relatively small unless there is a demonstration or a court decision. There is a lack of knowledge about Hawaiian issues not only among most non-Hawaiians but also among many Hawaiians. The Hawaiian people have begun a process of recovery of their tradi-tional practices and a rediscovery of their historic and cultural roots. This process has brought about a keen awareness of the losses and injustices Hawaiians have suffered. Hawaiians have taken an active role in asserting their indigenous rights in legislative bodies, the courts, in the streets, and on the land. There was a time when it was illegal to speak Hawaiian and many Hawaiians remember when they were taught to be ashamed of being Hawaiian. Hawaiian language and history was not taught in school until two decades ago. It has been a painful discovery for many to uncover a history that they did not know existed.

There appears to be a consensus within the Hawaiian community that past wrongs need to be addressed, but there is not a consensus about courses of action. Some of these groups are very hostile toward other groups. Some argue for a nation within a nation, others argue for full independence, whereas other Hawai-ians do not voice an opinion or want to become involved. Obviously; calls for independence cause anxiety for some, whereas others dismiss this course as too impractical.

The widespread knowledge of the illegal overthrow of the monarchy and concerns over the legitimacy of the statehood plebiscite in 1959 have buttressed the calls for independence or for some form of sovereignty over the last decade. Some also argue that the legal basis has become stronger with the acknowledge-ment of the illegal overthrow of Hawaii by the United States by President Clinton, in 1993, when he signed a joint resolution offering "an apology to Native Hawai-ians on behalf of the United States for the overthrow of the Kingdom of Hawai'i."

(Senate Joint Resolution 19, PL 103–150 107 Stat. 1510).* Although the apology provides no redress it has been an important symbolic gesture for Hawaiians. Increasingly, there are demands for the State and Federal Government for redress and action. Some form of Hawaiian sovereignty is regarded by political leaders from the Governor to U.S. Senators as inevitable. The specifics of federal and state governmental responsibilities are debated and continually legally challenged but it widely accepted that federal and state authorities have not fulfilled their obligations to Hawaiians.

Very few would argue that Hawaiians have not suffered severe injustices. The dilemmna lies in what should be done. There is not a dominant view among Hawaiians or non-Hawaiians. The term Hawaiian sovereignty and the surrounding issues have various meanings to Hawaiians and non-Hawaiians. Some advocate independence from the United States, others want a land base for Hawaiians similar to Native Americans, others want reparations and entitlements. Others are opposed to giving preference to Hawaiians argue that injustices for all need to be addressed and that current institutions and laws are race based and contrary to the constitution. It is a very complicated issue with ramifications on nearly every sector in Hawaii.

There have been a significant number of conferences, workshops and debates within the Hawaiian community about forms of redress and types of sovereignty. For the most part speeches and discussions on sovereignty are the exclusive territory of Hawaiians. Many non-Hawaiians respect that the Hawaiian community needs to formulate their own vision of sovereignty. Some non-Hawaiians feel excluded and that they have a stake in the future of Hawaii and would like to be included. Hawaiians likewise are divided on the role of non-Hawaiians. Some of those of Japanese, Chinese, Filipino, and Portugese descendants are offended that they are also excluded. There are a few vocal Hawaiians who state

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* Few dispute the current or past injustices or that the United States intervention in the islands was illegal. On January 17, 1893 a group of 13 white businessmen backed by three companies of U.S. Marines forced the Hawaiian queen, Liliʻuokalani, from her throne, seized crown lands and ended Hawaii's independence. This small group declared the Republic of Hawaii in 1894 and the islands were formally annexed as a U.S. territory 4 y later. In 1959, Hawaiians were given the choice of remaining a territory or becoming a state. They voted overwhelmingly for the latter and Hawaii became the last state to join the union. However, the legitimacy of the statehood plebiscite in 1959, used as a basis for establishing self-determination for Hawaii, is questionable for four reasons: (1) the United States did not prepare Hawaii for self-government, but merely integrated Hawaii into the American Union as a state; (2) additional options for attaining self-government, (e.g., through "free association" or "independence,") were not considered and presented to voters in 1959, as outlined in the United Nations Charter; (3) the American settler population who migrated to Hawaii during the territorial period (1900–1959) were not subject to "colonial and alien domination" by their own government and, therefore, did not have the legal right of self-determination in 1959 based on international law; and (4) U.S. military personnel stationed in Hawaiʻi should not have been granted "temporary residency" to vote in 1959 (Castanha, 1996).

that they would like *haoles* (caucasions) to leave. Others think non-Hawaiians should not participate in discussions about sovereignty, whereas some feel it should be a community-wide discussion.

There are many contentious debates between Hawaiians and public officials and between the different Hawaiian groups. There are several Hawaiian groups and leaders who bitterly oppose one another. There are counter-claims about who should represent the Hawaiian community. There have been many discussions within the Hawaiian community about past and present injustices and the alternative models of sovereignty that are being proposed. There are 350,000 acres of ceded lands and funds from the revenues of these lands that are held in trust. Audits and lawsuits have revealed consistent mismanagement of the ceded land trust by state agencies.

There has been an election of delegates and a Native Hawaiian Convention to discuss Hawaiian sovereignty. Many Hawaiians have not participated. The reasons vary. Some say they did not participate because they opposed the way the Hawaiians that were leading these efforts were organizing the process, others because they are opposed to the contentiousness, some for indifference. Whether or not they are actively involved in these debates and discussions the anger and hurt that many Hawaiian express cannot be under estimated. Hawaiians feel they have been marginalized for over a hundred years in their land. Many feel that foreigners took advantage of the Hawaiian traditional values to overthrow the Hawaiian nation and to dominate them economically and politically—and that situation continues to this day. Statistically they are the most landless group in Hawaii. They also have the worst health indicators of the five main ethnic groups: the shortest life expectancy, highest mortality rates for heart disease, cancer, stroke, accidents, diabetes, and infants. Proportionally they are overrepresented in prisons and unemployment numbers.

There are also fears that recent decisions will result in further loss of Hawaiian rights and benefits. Recent decisions concerning the Office of Hawaiian Affairs have caused concern among many Hawaiians and non-Hawaiians that some of the programs targeting Hawaiians may be declared unconstitutional. In 2000 the Supreme Court ruled against the State's Hawaiian-only elections for the trustees of the Office of Hawaiian Affairs, stating that it violated the 15th Amendment of the U.S. Constitution. There are a number of pending cases against the Office of Hawaiian Affairs asserting that the policies designating only Hawaiians as recipients of programs also violates the prohibition against race-based policies and programs.

To counter these efforts there is a bill pending in Congress to grant federal recognition to Native Hawaiians. This bill, known as the Akaka bill, would give Native Hawaiians similar status to the Native American tribes and enable them to participate in federal policies affecting their lands, natural resources, language, and traditions. This is seen by many as granting limited sovereignty and a neces-

sary first step. Some Hawaiians oppose the bill saying it does not go far enough. Others are concerned that it is now on its third draft with major changes with little input from Hawaiians and that ultimately the final bill will not be beneficial to Hawaiians.

In Hawaii one of the most pressing issues is Hawaiian sovereignty and how this will be resolved. Yet it is also one of the least discussed issues across the community. Sovereignty "is both widely discussed and not discussed, depending on your vantage point" (Apio and Alm, 1999, B1). There are a number of activists who promote the discussion of Hawaiian issues but there are many Hawaiians and non-Hawaiians who are uncomfortable or do not have opportunities to discuss these issues—particularly with people who have differing perspectives. It is clear that local and national court and legislative battles on issues pertaining to Hawaiian issues will continue for years. It is also clear that anger and misunderstandings are rising and that the citizens of Hawaii need to deliberate these issues at the individual and community level.

The process that appeared to offer the most promise to promote dialogue was the study circles format that had been used extensively in other settings.

B. The Concept of Dialogue

The emphasis on dialogue has grown out of a concern over the breakdowns in communication—at the office and in the larger public sphere. Deep disagreements pervade public life, evidenced by demonstrations and discordant public meetings in which insults are traded. There is evidence that fewer citizens agree to engage in any public activity, or even discussions with those they disagree with.

When people do participate it is often in anger or debate between seemingly irreconcilable positions. The crisis in the level and quality of participation is seen as a threat to democracy. Increasingly, democratic theorists argue that it is imperative that we find ways to promote civil discourse (Bellah, 1993; Etzioni, 1993; McKnight, 1993; Yankelovich, 1995). There has been much written about the "growing incivility of our public discourse" (Barber, 1998), the weakening of civil society (Elshtain, 1995), the contentious environment at public hearings (Kemmis, 1990) and the lack of constructive dialogue among citizens (Yankelovich, 1999). Yankelovich in *The Magic of Dialogue* (1999) focuses on the uses of dialogue to resolve policy issues and sees the most important contribution is in helping us struggle with what kind of society will we become.

In dialogue people learn how to come together to understand the thought processes of others. The intent is not to come to consensus over an issue, but to find common ground and optimally a common meaning. Isaacs (1994) discusses Buber's use of the term to describe a mode of exchange where there is a full appreciation of another, not as an object, but as a genuine being. Isaacs captures the potential of dialogue:

> [d]ialogue is not merely a set of techniques. . . . During the dialogue process, people learn how to think together—not just in the sense of analyzing a shared problem or creating new pieces of shared knowledge. . . . Dialogue's purpose, as we now understand it, would be to create a setting where conscious *collective mindfulness* could be maintained (Isaacs, 1994; p. 359)

Dialogue as a method of addressing issues of concern has gained momentum over the last decade. Organizations, such as the National Study Circles Resource Center, National Issues Forum Healthcare Forum, Kettering Foundation, and MIT's Dialogue Project, promote the practice of dialogue. Dialogues are organized for a variety of reasons, and are designed for small groups, or entire communities.

The Study Circles Resource Center (SCRC) promotes dialogue through study circles nationwide to small groups and citywide processes. The initiatives range from tiny Alread, Arkansas to Los Angeles, California dealing with issues from educational reform to racial tensions. SCRC was formed in 1989 by the Topsfield Foundation to help create a "deliberative democracy." The founding principle is that a strong democracy requires participatory processes that welcome everyone's voice, beliefs, and experiences. Over 100 communities have formed study circles to educate themselves, to challenge themselves, to establish new relations and new community networks, to find ways to change their own behavior, to work with others to solve community problems, and to help create much larger political change in their communities.

The Public Conversations Project began in 1989 with a series of dialogues on abortion. They became well known for bringing individuals together on very divisive issues, not for the purpose of agreeing but to better understand alternative views and to keep individuals from demonizing those with very different perspectives. They have since convened and conducted dialogues on environment, sexual orientation, religion, social class, and population. Their dialogues are usually only one session, but they include guidelines for format similar to the other groups.

All of these groups emphasize that as individuals and groups we need to develop the capacity to dialogue with each other. We are not used to participating in ways where we have not planned in advance what we are going to say. We anticipate others views and come prepared to debate or to argue key points. Coming together with the object of thinking together about an issue and exploring our own assumptions is very rare. The proponents argue that the rewards are great whether these dialogues take place at a factory or in groups involved in ethnic conflicts. They propose that there are skills that can be learned and offer guidelines to help us learn to think, talk, and relate together in new ways.

C. The Components of Dialogue

There are specific skills associated with fostering dialogue. The groups that facilitate dialogues emphasize similar guidelines. The underlying premise is that dia-

logue cannot be forced, but that there are principles and an environment that will facilitate dialogue.

The Study Circle Resource Center provides tools, materials, consultations, and funding to groups around the country. Their goal has been to involve large numbers of people in small group, face-to-face deliberation on critical issues. They offer materials on a variety of topics. The study guides offer a number of suggested processes and guidelines, including:

> Groups should be small, usually 8–12 person.
> Group should meet regularly over weeks or months.
> Group should set its own ground rules for respective, productive discussion an impartial facilitator.
> Group process does not require consensus, but seeks to uncover areas of agreement (Study Circle Handbook, 1993).

Dialogue processes often appear informal and unstructured, yet they must be carefully organized and facilitated. The facilitation needs to be unobtrusive and passive. The facilitators sit in the circle and act as probes or guides, not as leaders. The format of making everyone sit in a circle also facilitates the awareness and the expression of multiple perspectives. Often issues are presented as pro vs. con, or the "two sides of an issue." As Tannen (1999; p. 284) states, our current "argument culture" is antithetical to an environment that promotes dialogue where individuals might come to understand the nuances of various perspectives. At the heart of the "argument the culture is our habit of seeing issues and ideas as absolute and irreconcilable principles continually at war" (Tannen, 1999; p. 284). Dialogues are seen as a way to counter our argument the culture, which is rooted in an adversarial approach to knowledge and a tendency to approach issues as polarized debate, criticism, and attack. The culture that is promoted in the dialogues is one of respect, with the goal of trying to understand, not to argue against others' views.

The National Issues Forum (NIF) provides another format to promote dialogue. The NIF is funded through the Kettering Foundation, with the purpose to bring people together in structured conversations to discuss a specific issue. They produce issue books that are used by forum participants to weigh the trade-offs, understand different perspectives, and set priorities for action. The forums vary from small study circles to town meetings, they provide a nonadversarial environment for citizens to take a fresh look at the topic and their own perspectives.

The various organizations offer variations on the process, but have similar guidelines. Yankelovich (1999, pp. 110–128) provides strategies that have been the element of successful dialogues:

- Err on the side of including people who disagree.
- Initiate dialogue through a gesture of empathy.

- Check for the presence of all three core requirements of dialogue—equality, emphatic listening, and surfacing assumptions nonjudgmentally—and learn how to introduce the missing ones.
- Minimize the level of mistrust before pursuing practical objectives.
- Keep dialogue and decision making compartmentalized.
- Focus on common interests.
- Use specific cases to raise general issues.
- Bring forth your own assumptions before speculating on those of others.
- Clarify assumptions that lead to subculture distortions.
- Where applicable, identify mistrust as the source of misunderstandings.
- Expose old scripts to a reality check.
- Focus on conflicts between value systems, not people.
- Be sure trust exists before addressing transference distortions.
- When appropriate, express the emotions that accompany strongly held values.
- Encourage relationships in order to humanize transactions.

D.   He Au Papa 'Olelo: Principles and Format

The principles and guidelines that have been adopted for *He Au Papa 'olelo* follow those proposed by the Study Circle Resource Center, Yankelovich, and others. The principles also include some guidelines that are distinct and tailored to the cultural context of Hawaii. One important distinction is that a prayer is conducted at the beginning and the end of every session. This is an important aspect of Hawaiian protocol. Spirituality is an important aspect of Hawaiian culture. In Hawaii many public and private meetings begin with a chant or prayer often in the Hawaiian language. Another important variation is that there are always two facilitators. There is always one Hawaiian and one non-Hawaiian facilitator, if scheduling prohibits this then the sessions are cancelled. There is also an attempt to have an even number of Hawaiians and non-Hawaiians.

The *He Au Papa 'olelo* sessions were more formally structured than study circles in a number of ways:

1. Selection: A small group of Hawaiians and non-Hawaiians would propose names with the goal to balance ethnicity, gender, age, and knowledge.
2. Equal numbers of Hawaiians and non-Hawaiians with groups ranging from 14 to 20.
3. Two facilitators, one Hawaiian and one non-Hawaiian.
4. Three meetings of 3 hr over a period of 3 weeks. Participants must commit to all three meetings.

5. Small amount of readings on sovereignty sent out to participants before the first meeting. Participants are encouraged to bring materials for others to read.
6. A meal in a relaxed living room setting where participants can sit on the furniture or on the floor.
7. A traditional Hawaiian opening, *pule* (prayer) to begin the dialogue.
8. Each person introduces themselves with some of their genealogy: their family names, their connection to Hawaii.
9. Everyone is seated in a circle and everyone has an opportunity to speak. Facilitation is nonintrusive
10. The evening ends with a final *pule* (prayer) and clean-up of the area.

III. THE DIALOGUES

It appears that for many participants the "magic" that Yankelovich, Isaacs, and others attribute to the dialogue process took place in these dialogues. Many participants did report in evaluations and interviews that these sessions were a unique and enlightening experience. They learned to think together about these issues. Isaacs defines *dialogue*:

> [D]ialogue is about a shared inquiry, a way of thinking and reflecting together. It is not something you do *to* another person. It is something you do *with* people (1999; p.9)

Not everyone's experience was "transformative," but it does appear to have been overwhelmingly a positive experience for almost all of the participants. There were different outcomes for different groups and individuals. Most participants reported that they learned important insights about other perspectives. One Hawaiian professor reported that it completely changed his views of non-Hawaiians roles and the way he taught about Hawaiian issues. For some they were able to hear and analyze the sources of conflict in new ways; for others, it was a healing process. For a number of Hawaiians being able to express their pain to non-Hawaiians was a deeply emotional and restorative experience.

The issue of blame was a common theme and one was one where many came away understanding opposing perspectives. Many non-Hawaiians express frustration over being blamed for something that they had no part. Many non-Hawaiians complain that neither they nor their ancestors are responsible for what happened at the time of the overthrow of the Hawaiian monarchy. The anger from Hawaiians seems to many to be directed at anyone who is not Hawaiian. For some Japanese–Americans, who trace their lineage back generations, it is very frustrating or even insulting to be cast in the same category. From the Hawaiian perspective, most of the non-Hawaiians have benefited from the actions

that took away their land, their nation, and culture. Hawaiians have lost, whereas others have gained.

A common outcome was the perspective was an acceptance that non-Hawaiians even if not personally responsible they must recognize the harm that has been caused and be part of the solution. This does not mean giving up their land. This is a fear that was expressed by some of the non-Hawaiians. There continue to be disputes over the lands ceded to the Federal and State governments and how Hawaiians should be compensated for these losses, but the Hawaiians who have spoken in the dialogues assert they are not advocating displacing anyone from their homes.

He Au Papa 'olelo has proved to be a worthwhile endeavor. There were disagreements and conflicts, but participants developed a level of trust that allowed them to share their thoughts and feelings in a respectful environment. It decreased ignorance, prejudice, and misunderstandings.

IV. NOT A PANACEA

Yankelovich states that dialogues are not a panacea for our social ills. They will not solve the questions surrounding the issue of Hawaiian sovereignty. While the potential downsides of the format are not clear, there are critics. The main critique appears to be that it does not lead to action. The process was designed to avoid discussion of actions. There were some that viewed the avoidance of action as a weakness. Even those who are not sure what actions should be taken think that the process should discuss potential forms of action.

There are also some critiques of individual sessions of *He Au Papa 'olelo*. For some it was clearly a transformative experience. But for others it was an uncomfortable experience. Some said that they did not feel safe to state their views or were concerned that one perspective clearly dominated their sessions.

Achieving a diversity of views and ethnicities was problematic for a few groups. Most study circles processes are more open and do not emphasize getting a balance of participants. This was a principle in part because of the colonial history of Hawaiians and the feeling that outsiders have dominated policy making in the islands. It was also important that one or a few would not be expected to speak for a whole race or ethnic group. As a result, here were concerted efforts to balance non-Hawaiians and Hawaiians, age, and perspectives. The groups always had some Hawaiians and some non-Hawaiians but some months there were more Hawaiians and in other months more non-Hawaiians. This was rarely a problem, but it was a constant struggle and did result in sessions having to be rescheduled.

Those opposed to any form of sovereignty and to any special treatment of Hawaiians rarely participated. In part because they choose not to participate argu-

ing that their perspective is "politically incorrect" and that those holding these views are unwilling to state their views in public settings. It is a view that is rarely argued in public settings. Two of the steering committee members wrote an "op ed" piece for the daily newspapers in September of 1999. The very first sentence stated: "Hawaii will have some form of sovereignty, and it will happen sooner or later—this is not longer at issue. What is at issue is how we, as a community, will handle it" (Alm and Apio, B4). But William Burgess, an attorney in Honolulu, launched an opposing piece challenging this assumption, "the (Alm and Apio) article is based on a false premise, and would demote 80% of Hawai'i's citizens to second-class status and makes it sound like a done deal. If the authors of the article have their way, about 1 million of us and our descendants will become, even more than now, like serfs (or *maka'ainana*) to support the hereditary elite consisting of anyone with at least one drop of Hawaiian blood."

Another issue was the facilitation of the sessions. The rule that the facilitators assume a neutral, process-only role in managing the meeting was modified. This concept was challenged by some facilitators and some participants. It was felt that it was important that the facilitators themselves contribute their "genealogies" or personal histories and their personal *mana'o* (thoughts) to the dialogues like everyone else. A cultural norm in Hawaii is that everyone is invited and expected to participate. The facilitators were asked to adapt the ground rules to create an environment in which the facilitators were still providing safety and freedom from attack for the participants, allowing everyone to speak as much as possible, yet also be participants in the dialogues. These multiple roles were difficult for the facilitators, and it did not always work. Some facilitators were so involved and passionate about the issues that participants left feeling it was not a setting that facilitated the expression of dissenting views. It was decided that facilitators would assume a neutral role and only rarely participate and then only after they gained permission from their group.

There remains also the question: what difference does it make ultimately? Groups in other areas have claimed that it has prevented violence or riots. In Los Angeles, concerns that disturbances similar to what happened after the Rodney King verdict would break out after the OJ Simpson trial set up 100 study circles sites with facilitators to lead dialogues on race relations. The goal was not to come up with an immediate answer to race relations in Los Angeles, but to allow participants to be heard in safe environment. They claim that these study circles helped prevent violence. A study circle process has also been set up in Cincinnati after the riots there, also with the purpose of lessening tensions and resolving conflict. Although most of the participants do not feel that there is any immediate prospect of violence in Hawaii, there is a sense that there are deep conflicts that we must address and that a safe environment where participants express and hear differing perspective will reduce the tensions. The overwhelmingly response is that the process has made a difference in how they, as individuals, think about

these issues, but whether or how this translates into larger systemic changes is unclear.

IV. CONCLUSION

Although there is acceptance by most citizens in Hawaii that some form of sovereignty is inevitable, what form it will take and how it will come about is unclear. How as a community this issue will be handled is very much at issue. These dialogues are one means in developing the capacities and skills of citizens that will be required if reconciliation on this issue is to be achieved. The organizers of *He Au Papa ʻolelo* felt that the lack of dialogue within the non-Hawaiian community and between non-Hawaiians and Hawaiians was potentially problematic. Whether the reluctance to discuss the issue comes from fear, intimidation, or a desire to wait until Hawaiians have come to agreement the lack of dialogue will increase the chances of divisiveness and conflict. The hope is that dialogues that create mutual understanding will potentially aid in the development of common ground and reconciliation. The goal was to gain deeper understanding of conflicting perspectives. This appears to have been met. However *He Au Papa ʻolelo* is at a crossroads, with some participants arguing for some form of action. Others fear moving toward action will minimize the effectiveness of the pure dialogue format.

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12

The Only Game in Town

Managing Multistakeholder Conflicts

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I. INTRODUCTION

Two hundred people milled about the reception area at Port Ludlow Resort in Washington State. Representing federal, state, tribal, and local governments, businesses, non-profit groups, and watershed planning councils, they were here to participate in a forum to cement commitment to the "Shared Strategy for Salmon Recovery in Puget Sound"(1). The agenda was to discuss how to coordinate existing and emerging efforts to recover endangered salmon and bull trout species across twelve counties (including the largest urban areas) of the Puget Sound region. The Shared Strategy hopes to fundamentally change how people interact with the land to ensure the long-term viability of salmon and the natural resources critical to their survival (2). The group faces a huge challenge—how to reverse fish habitat degradation and ensure economic viability in the most populous part of the state. Although still evolving, the Shared Strategy effort with its complex public policy problems and multiple stakeholders with diverse interests and turf issues, provides a rich example of the challenges and rewards of managing conflicts within a collaborative framework.

As one of the facilitators, I wanted to learn how people felt about cooperating with disparate organizations to save salmon. I leaned in close so I could hear responses to my questions through the rising noise level in the small hotel lobby.

"Oh, it probably won't work," two men from state agencies told me. "We're only here because our boss told us to come."

"They tried something like this with the Tri-county process (referring to the three largest urban counties in Western Washington)," said a county official,

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"and it got bogged down and cumbersome. Why should this be any different?" A group of her cohorts murmured agreement.

"Did you hear that the Tribes filed suit against the National Marine Fisheries Service just two days ago?" I overheard someone asking. "Unless the Northwest Indian Fisheries Commission is on board, this process won't get very far."

Whomever I spoke with that evening echoed similar sentiments. Would we be able to turn this skepticism into the momentum needed to address the difficult challenges ahead? Washington State does have history and precedent on its side. It benefits from numerous successes with collaborative processes in the environmental arena, the highlight of which was adoption of the 1986 Timber/Fish/Wildlife agreement to protect streams and watersheds from negative logging impacts (3). In fact, since the 1970s there has been a trend to develop and implement various forms of collaborative approaches to ending environmental conflicts (4). It has become increasingly apparent, more than with many other public issues, that environmental concerns are highly interdependent with social and economic systems and cannot be adequately addressed in isolation from those systems.

Traditional means for resolving environmental disputes, such as litigation, legislation, or regulation, while important, are not structured to be able to address the complex systemic interactions involved. Rather than thinking of traditional versus collaborative strategies in either/or terms, it is more helpful to consider the appropriate relation between them. Often, consensus-based processes evolve from and fold back into traditional policy-making arenas. Other times, grassroots collaborations will influence public opinion that will be later reflected in new laws or policies (5). In any event, local collaborative partnerships should not dilute or subvert federal standards and regulations, nor serve as a substitute for constitutional decision-making processes (6). The Shared Strategy is an example of a process that is working within the legal and governmental frameworks related to environmental laws, and tribal treaties, especially as supported by the Boldt 1 (affirming tribal fishing rights) and Boldt 2 (affirming the right to have fish habitat protected from human despoilation) U. S. District court decisions (7).

The Shared Strategy selected a voluntary, collaborative change process because its leaders believe that it offers the greatest hope for adequately addressing complex, systemic problems (8): salmon cannot be saved without considering legitimate social, political, and economic interconnections. There are other potential benefits to collaborating, on which the Shared Strategy hopes to capitalize. These include: the potential to discover novel, innovative solutions, improved quality of solutions due to a broad, comprehensive analysis of the problems the inclusion of all stakeholder interests, ownership for solutions, improved stakeholder relations, reduced risk of impasse, and the ability to balance short-term needs with long-term goals (9).

Certain conditions need to be in place to ensure successful collaborations. Their absence or poor management leads to the pitfalls and risks often cited in

Table 1 Conditions and Obstacles to Effective Collaborative Processes

Conditions for Effective Collaborative Processes	Obstacles to Effective Collaborative Processes
Outcomes are within legal/governmental framework	Local control undermines national oversight legal precedent/legal reform is needed
Strong leadership is present	Leaders are not committed to collaboration
All key stakeholders are included	Selective exclusion of stakeholders
Benefits of collaborating outweigh the costs	More advantageous outcomes may be available through other means
Neutral and objective facilitators/experts	Participants perceive facilitator/expert biases
Participants have a common base of understanding and skills to collaborate	Misunderstanding what collaboration can and cannot accomplish; skill imbalances
Process as well as task issues are addressed	Disregard for process issues
Parties have equitable power distribution	Power disparities; fear of cooptation
Historical and ideological barriers can be overcome	Adversarial relations and profound values differences prevent collaboration
Adequate resources of time, money, and staff are provided	Imbalance of resource burden among stakeholders

Sources: Gray, 1989; Crowfott and Wondolleck, 1990; Zanetell, 2001

regard to such processes. Table 1 summarizes the conditions for and obstacles to effective collaborative processes.

Table 1 begs the question, are there ever circumstances when collaboration is not appropriate at all? Yes, when a quick response is needed, when key stakeholders refuse to collaborate, or one party has unchallenged power to influence outcomes, when conflicts are based on deeply held values, or when there are intractable adversarial relations (10). The Shared Strategy's success to date can be partly attributed, to its application of the following principles that foster the conditions for an effective collaborative process.

1. Ensure strong leadership for a collaborative process.
2. Build commitment to a common goal that cannot be achieved without collaboration.
3. Invite, encourage and incorporate multiple points of view.
4. Address process issues.

Although the actions supporting the principles frequently overlap or are carried out simultaneously, they are presented separately in this chapter for the sake of clarity.

II. ENSURE STRONG LEADERSHIP FOR A COLLABORATIVE PROCESS

The importance of the role of the convener and leader in a collaborative process cannot be overemphasized. The persons in this role must be perceived as having legitimate authority and a lack of bias. Credibility often comes from being an expert in a particular domain, from having a breadth of connections, and from being a recognized influential figure within the network associated with the issues in question (11).

William Ruckelshaus, former head of the Environmental Protection Agency (EPA) and Chair of the Shared Strategy, and Daniel Evans, former U. S. Senator and Governor for the State of Washington, both meet the foregoing criteria for leadership. Because of their stature, they were able to convene a diverse group of stakeholders to participate in more than two years of activities that built commitment to a long-term collaborative process.

To ensure strong leadership also requires including all stakeholders. People who can influence the outcome or its implementation, or who would be affected by decisions made, should be involved as early as possible. It is better to include everyone with a stake in the outcomes than to worry about manageable group size as there are many methods to handle large groups (12). Once committed to the collaborative process, stakeholders will use their leadership capital and skills in support of it.

Over the last couple of years, Ruckelshaus and his associate, Jim Kramer expanded the number of people involved in the Shared Strategy as more stakeholders were identified. They began by meeting with an initial group of business and environmental leaders to discuss what they would need to support salmon recovery efforts. By getting these two normally warring factions to agree, they hoped to build political support to enable positional leaders to take more risks and provide leadership for a collaborative effort. With this initial input, and technical help from a renowned scientist, a representative group wrote an issue paper titled, "The Need for a Shared Strategy for Salmon Recovery." They sent this paper for review and comment to leaders in government agencies from the federal through the municipal level, businesses affected by potential new regulations, scientists, environmentalists, and watershed groups working at the ground level to restore salmon habitat. Comments received were summarized and incorporated in subsequent iterations of the shared strategy plan. The paper demonstrated to high-ranking government officials that important constituencies were interested in beginning a dialogue about these issues, thus decreasing some of the political risks of participation.

Leadership responsibilities should be spread among the stakeholders. Collaborative processes are complex, often lengthy, and may involve numerous subgroups. Persons are needed at every level to hold the vision and guide the

process when the work becomes difficult, as it surely will. Leaders who understand the vagaries of collaboration can coach others to develop the capacity to "stick with it" and maintain a productive course of action.

Leaders and facilitators (if they are used) should know the players—their communication styles, the relation histories, and the positions they are likely to take. Between meetings, leaders and facilitators should talk to those key people who may have the most difficulty with upcoming topics. They should tell them what will be discussed, ask for their initial reaction (often already anticipated), listen respectfully, help them understand the broader context, and explain how their view fits within it. This is also the time to address any relationship issues between parties.

"Often a group member will say something in a manner that offends others or creates suspicion," Kramer said. "I found that I spent quite a bit of time after meetings explaining what another person might be thinking—that they weren't just being a jerk, but had a legitimate perspective from their own point of view"(8).

Successful coaching between meetings diffuses conflicts that could derail the process and lays the groundwork for making progress on difficult issues. According to Kramer, it is also important to coach a group to help build respect for individuals who are judged as "difficult," or whose ideas are dismissed by the group, especially if the person is in a position of authority.

"Ruckelshaus is a master at this," Kramer explained. "He listens carefully to people and enlarges upon an important portion of their comments, showing how the person adds to the larger whole, then thanks the person for her or his contribution." The effect of Ruckelshaus' intervention not only helps build respect among group members, it gets the person in question to start modeling collaboration and improves the overall group dynamic.

III. BUILD COMMITMENT TO A COMMON GOAL THAT CANNOT BE ACHIEVED WITHOUT COLLABORATION

This begins by ripening the issues, a strategy that is used to build a sense of urgency and public support for a particular change (13). Once the public's attention is focused on an issue, it becomes relatively easy to create the political will to address it. Interests contrary to the public's desires take a secondary role and conflicts over where to focus resources fall away.

Washington State citizens already feel strongly about salmon as a symbol of both cultural and economic wealth. Soon after it became known that two salmon species would be placed on the endangered list (creating urgency), private and public sector leaders met to discuss the possible implications. As in other parts of the country, there are many environmental and resource use problems from which to choose, but with the public already supporting salmon, this was

a good place to start. Governor Gary Locke's office set the goal of recovering salmon to naturally sustainable levels and Ruckelshaus began to pull together the various stakeholders interested in working on the salmon issue. Ruckelshaus maintains a sense of urgency by articulating the damaging effects of a blunt application of the Endangered Species Act and the need to act quickly to maintain the public interest and support.

Participants have to believe that their shared goals can only be met through collaboration (2). The Shared Strategy's goal will require changes of behavior by all groups associated with land use: farmers, developers, businesses, private property owners, government, and tribal representatives, environmentalists, and fishermen and women. Success in achieving such a far-reaching, ambitious goal depends on helping all the players realize that the collaborative process is the "only game in town." To further ensure that this process is IT, leaders representing key stakeholder groups must be able to make final decisions on behalf of their organizations. They need to clearly communicate to their constituents that this process will likely result in the ultimate policies for addressing a particular issue. They must also commit to carry out long-term, permanent solutions in the face of short-term pressures.

Following an earlier conference aimed at demonstrating commitment to a collaborative approach for recovering endangered salmon in the Puget Sound region, Ruckelshaus asked seven prominent officials from Federal, State, Tribal, and County governments to hammer out a document laying out the specific objectives and action plans for a shared strategy. Even with the support of key stakeholders from across the region there was resistance within the group of eight to using a collaborative process. Group members repeatedly raised questions: What is the authority of this group? Why are we here? Who is this group to challenge my organization's own processes and initiatives? Each time the answer, repeated like a broken record, reminded the group about the consensus reached by the 150 participants at the first conference: We are collectively responsible for and charged with recovering salmon, and none of us can do this independently and succeed (14). The precedent of successful environmental dispute collaborations in the state also reminded them that significant gains could be made through such a process. Ruckelshaus also reiterated that they did not have to participate; this was a voluntary process. They kept coming because they recognized they had no better alternative. Ultimately, the officials broke through their rhetoric to draft and sign a shared strategy agreement. It bears noting that a well-respected, influential figure such as Ruckelshaus, often has the power to induce others to participate, as proved true in this case (15).

IV.   INVITE, ENCOURAGE, AND INCORPORATE MULTIPLE POINTS OF VIEW

It takes all key stakeholders working together to begin to adequately address a complex problem. For that to happen, people need forums that welcome and draw

out conflicting perspectives and help stakeholders integrate their adversaries' views into their own thinking (16). Conflicts become less contentious and more manageable when people know and trust that their priority needs will be taken seriously.

One of the best ways to manage conflict is to see differences as the source of creativity and conflict as the fuel for creative change. Participants channel the energy within passionately felt perspectives to find new solutions. The way to begin is to draw out and listen deeply for the part of the truth other people are trying to communicate that must be included to reach a complete and lasting solution. It is often helpful to visually map stakeholders' varied knowledge, needs and interests. This both helps paint a whole picture for everyone, as well as show individuals that they were heard.

To encourage openness and sharing, sometimes confidentiality ground rules are needed to protect sensitive information. However participants who have to convince constituents "back home" that a particular approach is in everyone's best interest, may also need help in crafting a persuasive argument that protects agreed-on confidences.

As a larger and more complete picture of the issue emerges, participants will often allow themselves to be influenced by the legitimacy of other people's viewpoints and to reframe the problem(s) accordingly. This opens the way to seeking new and creative solutions together. The group uses their respective differences to generate innovative ideas. As the process unfolds, participants will hopefully gain enough experience with one another and see that everyone has to risk and make compromises along the way.

A fundamental question for salmon recovery is the number of fish needed to sustain a species. For a realistic solution, it is critical that scientists understand the policy implications of various scenarios. The final numbers will have to encompass both objective scientific principles as well as legitimate political and economic realities. Already, as scientists in the Shared Strategy effort are working on their sustainability models, they are expressing concern that their numbers could be compromised by politics. The conflict between numbers high enough to satisfy scientists and low enough to satisfy other stakeholder needs represents one of the Shared Strategy's critical junctures: It will have to resolve this tension in such a way that all the parties can say the numbers were arrived at through a solid and trustworthy process that they will support. The idea is to bridge what often start out as polar interests; for example, fish or irrigation, to integrative solutions that provide for both fish and irrigation. The Shared Strategy leaders make sure that regular communications occur between the policy and scientist groups so that there will be no surprises once the final numbers come out. Non-technical stakeholders observe the scientists' discussions and have the opportunity to ask questions or voice concerns about the assumptions and rationale being used by the biologists. Although this can sometimes hamper creativity and open-

ness among the scientists, it also reminds them that they have to factor in elements of a larger context.

Developing integrative solutions requires a sophisticated set of skills, and facilitators can be particularly useful in helping participants work through this complex process. However, this approach is not always possible. People will still have to make difficult trade-offs. Not all problems will lend themselves to an integrated ''both/and'' a solution. Tension will exist between the pressure to meet short-term needs and the discipline required to pursue long-term solutions. Political winds can shift before commitments become institutionalized. Even if the process does not succeed, improved stakeholder relations and increased problem-solving capabilities can still be valuable outcomes of having made the attempt to find mutual solutions (17).

V. ADDRESS PROCESS ISSUES

Ignoring or inadequately addressing process issues, such as not clarifying rights, roles, and responsibilities, can derail a collaborative process as easily as can issues of substance (18). Each group will have its own unique set of process questions to resolve, but at a minimum there are three types of process issues that everyone needs to work through: establishing the rules for engagement, dealing with power distribution, and decision-making.

A. Establishing the Rules of Engagement

Representatives with diverse interests need to know the ground rules for constructive participation. Each group needs to set and abide by its own rules. Some areas typically covered by ground rules include uses of past precedent, issue scope, media relations, participant rights, roles and responsibilities, decision-making methods, final decision authority, values or principles, and expectations of behavior (Gray, 1985, p. 78; Crowfoot/Wondolleck, 1990; pp. 78–79).

One of the rules used by the Shared Strategy stated that each participant would "reserve the right to seek different or additional measures viewed as necessary to carry out treaty promises or effect compliance with other state or federal laws" (19). Thus the Northwest Indian Fisheries Commission lawsuit (mentioned earlier as an obstacle) did not break the rules of engagement and NIFC became a co-signer on the Shared Strategy document.

An important principle guiding the Shared Strategy process is to focus on the positive. The main reason to bring institutions together to collaborate is to combine their strengths, because often they do not have the full authority or resources to accomplish some of the most important tasks. "We emphasize what needs to be done," says Jim Kramer, "not what isn't being done" (8).

The Shared Strategy involves many stakeholder entities and numerous subgroups of various sizes, and continues to evolve and reinvent structures to manage this complex effort. It would benefit from setting some additional groundrules, especially for intergroup communications, accountability, final decision authority, and a common understanding of how consensus works.

B.   Dealing with Power Distribution

Collaboration is possible when stakeholders' fates are interwoven and there is a level playing field (Gray, 1985; p. 119, Zanetell, 2001; p. 15). Those who represent minority or less powerful interests, or who have fewer resources, need to be able to participate fully and meaningfully. One of the fears these groups have is that they will be coopted by more powerful stakeholders who only wish to give the illusion of widespread participation, while retaining essential policy-making power (20). Neutral facilitators, trainers, and technical experts can help equalize power imbalances through information sharing, education, and negotiating agreements to address participants' concerns.

The Shared Strategy, similar to many collaborative efforts, relies upon consensus decisionmaking to equalize the amount of influence each party has. It also distributes various types of decisions to different subgroups, representing various entities, according to expertise or jurisdiction. The Puget Sound Salmon Forum, a nonprofit organization formed for this purpose, then coordinates the implementation of various recovery efforts in the region. Broad-based interests across Puget Sound will continue to provide recommendations to the Shared Strategy Steering Committee through membership on the Forum Council (21). Even so, tribal representatives will sometimes block consensus or walk out of subgroup meetings because they do not feel that their needs are being adequately included. There are undoubtedly many factors at play in this example, including cultural differences and historical mistrust between Tribes and government entities. This situation could prove to be one of the weaknesses in the Shared Strategy effort: progress could grind to a halt if the Tribes' main recourse to exercise power is to leave the table. Everyone needs to learn how to work through contentious differences, even when it becomes hard, which supports the use of consensus as a power equalizer tool.

C.   Decision Making

Consensus is appropriately the decision-making method of choice in most collaborative efforts. When used effectively, it is the best way to ensure that all the parties' priority interests are fairly considered. However, it does have its drawbacks. First, people have different definitions of consensus (22) (perhaps this is

one issue in the example foregoing concerning the Tribes) and different levels of skill in applying it.

Some of the watershed groups involved in the Shared Strategy misunderstood the uses of consensus decision making. They defined consensus as everyone having to have 100% comfort level with decisions before going forward. They became stuck in conflicts they could not resolve because they did not know how to obtain the underlying interests behind positions. Consensus is meant to help groups search out mutually beneficial solutions so each member will support a decision even if it is not their first choice. A group process facilitator could have easily educated them in the basics, then helped them make progress on their issues.

An unintended consequence of consensus can be lowest-common-denominator agreements, or worse, agreements in which important objectives are not achieved at all (23). This happens when, in an effort to compromise and find win–win solutions, participants hold back from voicing concerns or objections. Productive disagreements may be suppressed causing a group to miss out on the potential benefit of generating innovative solutions. To be effective, consensus must be combined with skilled conflict resolution methods, such as those discussed earlier.

In addition to using consensus well, sequencing decisions in a certain order can facilitate overall goal achievement. The first set of decisions are intended to build commitment to the process being used, establish common objectives, and develop trust between key players. Subsequent decisions are content-specific and ordered from easiest to hardest, thus building competence and capacity among the group. By the time the most contentious challenges have to be faced, the participants have a solid track record of being able to work together.

The first two years of the Shared Strategy effort dealt almost exclusively with the first type of decisions: to collaborate or not and why; to agree to the goal of recovery and its component parts; to identify specific actions needed; to determine a reasonable timeline; and to establish a neutral organization for coordinating the various recovery efforts. Next, they will focus on the content decisions in this order: (1) scientifically determining the numbers of fish required to reach sustainable levels and politically deciding on the level of acceptable risk; (2) defining the specific role of individual watersheds for resource allocation; and (3) establishing the management and financial system to guarantee fish remain at sustainable levels. The third set of decisions concerning maintaining sustainable levels is where the central conflict over land use will be the most intense, requiring the public, developers, tribes, and governments to change their behaviors and relations to the land not impinge on the sustainability promise.

Was the Port Ludlow conference successful in turning cynicism to commitment? The 200 participants revised and refined the draft Shared Strategy plan (19). Facilitators captured and summarized their feedback. The seven Steering

Committee members, Governor Gary Locke, Dan Evans, and Bill Ruckelshaus took the input and incorporated it into their closing remarks. The leaders unanimously committed to a coordinated and shared effort to recover salmon in the Puget Sound region and work among various subgroups is well underway. The Shared Strategy is still evolving, though, so it remains to be seen whether or not the collaborative problem-solving process will result in long-term policies to save salmon.

One of the challenges of collaborative processes involving government organizations is the "fish-bowl" syndrome. Meetings, appropriately, have to be open to the public. Even if a group is represented in the overall process, many times constituents will want to observe meetings in which they are not active members. As mentioned earlier, outside observers may hamper the creative process and cause working committee members to hold back their concerns and ideas for fear they will be reported out of context. They also, however, can help remind task groups about the larger context within which their results will be judged, and public observers keep the overall process honest. Research on how to maximize the advantages and mitigate the disadvantages of outside observers watching collaborative processes would fill an important void in the literature on collaboration.

The steady increase of strategic collaborative partnerships between public, private, and community organizations may be an antidote to the erosion of confidence in government. Increasingly people recognize that neither government nor any other single entity can adequately address the complex societal and environmental concerns facing us today. The sheer scale and interdependence of modern economic and political challenges such as drug abuse, poverty, ethnic strife, environmental threats, education reform, and globalization require that we move beyond a search for simple solutions or top-down policy directives. To make progress on these problems often demands that citizens and institutions alike change their attitudes, behavior and values (24). Participative processes that bring together multiple stakeholders, such as the Shared Strategy, attempt however imperfectly to do just that: make progress on the difficult issues of our times and help people come to terms with the necessary changes they will have to make to achieve their combined goals.

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DISCUSSION QUESTIONS: PART III

1. With which of the following perspectives do you most closely identify and why?
   a. Mediated negotiation results in formal authorities delegating decision-making power to stakeholders who are not accountable to the public at large.
   b. Democratic governance is strengthened by the process of mediated negotiation through shared decision making among stakeholders and through challenging the power traditionally held by institutions and elites.
   c. Mediated negotiation results in stakeholders being coopted into believing they share decision-making power with formal authorities, although true power is retained by institutions and elites.
2. In what specific ways can the process of mediated negotiation be differentiated from the pluralist model of interest group politics to reconcile disparate interests?
3. How does the diversity of stakeholders and participants add significant complexity to conflict management processes?
4. How is consensus decision making different from ensuring that outcomes satisfy all involved actors or parties?
5. In what specific ways can the environmental and political climates of the community significantly affect the dynamics of conflict management processes among multiple stakeholders?
6. What effects do role clarity and role ambiguity, respectively, have on the processes of conflict management with multiple stakeholders?
7. What are the potential benefits or strengths of consensus decision making among multiple stakeholders?

8. What are the potential drawbacks or weaknesses of consensus decision making among multiple stakeholders?

9. Identify and rank, in descending order of importance, the process mechanisms that are key to effective conflict management among multiple stakeholders. Provide a rationale for each ranking.

10. Why is it necessary to devote time and energy to developing relationships as well as defining tasks in collaborative efforts to reconcile disparate interests? What are the potential consequences of not striking a balance between these two components of effective collaboration?

11. Should the leader or facilitator of the collaborative process be a disinterested or unbiased party to ensure that a neutral role is assumed in group processes applied to resolve conflicts among multiple stakeholders? Why or why not?

12. In a collaborative effort to manage conflict, would you feel satisfied with gaining a deeper understanding of the involved issues and actors through the process of dialogue as opposed to reaching consensus decisions toward actionable outcomes? Why or why not?

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