

HOW CAN CONFLICTS BE RESOLVE PEACEFULLY?

New Jersey Center for Civic Education, 2021

Objectives: Students will:

- Describe the sources of conflicts and the ways they are often resolved
- Explain why respect for diverse perspectives is important in a democratic society
- Use active listening skills to engage in civil discourse

NJ Student Learning Standards for Social Studies:

6.3.8.CivicsPR.5: Engage in simulated democratic processes (e.g., legislative hearings, judicial proceedings, elections) to understand how conflicting points of view are addressed in a democratic society

Depending on the number of activities, this topic may take two to five days. The concepts and activities may also be spread out over the entire civics course rather than done altogether.

Focus Questions:

- What are the sources of conflict?
- How can conflicts be resolved?
- Why is respect for diverse perspectives a crucial component of Civil Discourse?
- What strategies can help us better incorporate multiple perspectives into civil discourse?

Activity: What are the sources of conflict?

One of the purposes of government is to help resolve conflicts. Conflicts about political issues, such as spending for public purposes, are resolved by elections. We elect representatives to make decisions to resolve conflicts for us. Courts are established to help resolve issues of responsibility and justice. However, not all conflicts need outside assistance, such as courts, for their resolutions. Conflicts are a part of everyday life. If we understand their sources, we can better resolve conflicts.

Ask: What are the sources of conflict? What causes conflict in your life? What causes conflict among groups? Among countries? After discussion, conclude that conflicts arise because of:

- Ideology
- Competing interests
- Differing expectations or perceptions
- Cultural prejudices
- Simply irritating behavior

- Pride—Much like the personal pride that interferes with our individual ability to step back and apologize to a friend or spouse, national pride often prevents countries from stepping back from the brink of war.
- We don't listen to each other.

Conclude: Conflicts are obviously unavoidable—just a part of life—individual and national. The issue is how we deal with the conflict.

Activity: How are conflicts generally resolved?

Ask, "How do you resolve conflicts in your life?" Discuss and conclude:

- Fight
- Flight/Avoidance—walk away or ignore the situation
- Compromise—find a solution
- Litigation—bring to court for a judge (and sometimes a jury) to decide
- Mediation—bring in a non-biased third party to help find a solution
- Negotiation—directly discuss possible solutions

Ask: How are conflicts between and among countries resolved? Much the same ways. If we look at the history of national or international interactions over the years, we see a recurrence of conflicts, which are sometimes resolved by diplomacy or negotiations, but more frequently lead to violence, wars, riots, strikes or other less peaceful processes that are costly in terms of lives, property and social progress. While conflict may be an inevitable part of national as well as personal life, its escalation to violence is not. If we can understand the sources of conflict and develop skills to deal with conflict constructively and nonviolently, we may be able to resolve the underlying causes of conflicts rather than escalating them-whether the disputants are siblings, neighbors or nations.

Review each method and discuss the resolution:

- Does fighting resolve the conflict to the satisfaction of all parties? Rarely, only the winner—whether a student or a country in a war
- How about walking away or avoiding the conflict? Usually just postpones it. The parties continue to carry the heavy baggage of the unresolved conflict.
- Compromise—yes if the compromise is something that all parties can live with
- Litigation—This is the method established by governments to resolve conflicts peacefully. A judicial system of courts is established where impartial judges render legally enforceable decisions about conflicts, such as who owns something or how much is owed to somebody, etc. There are winners and losers but in many cases, litigation or going to court is the best method for resolving a dispute.
- Mediation—the mediator is either impartial or selected by the disputants to HELP them come to a resolution, often used in international tribunals.
- Negotiation—disputants discuss and agree—all sides should be satisfied or at least willing to live with the results (E.g., treaties, legislative compromises)

Ask your students what comes to mind when they hear the word, "conflict"?

Most responses will undoubtedly be negative, such as wars, violence, yelling, anger, etc. Perhaps there might be few more positive responses, such as change, problem solving. After listing all of your students' responses on a chalkboard or whiteboard, circle all of the "negative" responses and discuss why there are so many negative views of conflict. Then discuss the positive words and why students associate them with conflict. Conclude that, although conflicts may be unpleasant, difficult, painful and even violent, they also serve useful purposes, such as spurring creative thinking and helping to solve problems.

The English word, "conflict," is from the Latin, "conflictus," which means the act of striking together. This derivation is fairly straight forward, since conflicts involve people clashing. However, compare this meaning with the Chinese characters for "conflict," which are "danger" and "opportunity". We usually see the danger, but not the opportunity.

Activity: How can conflicts be resolved peacefully in a democratic society?

Background: The Harvard Negotiation Project. *Getting to Yes*, based on the experienced of conflict resolution practitioners, suggest the following steps for resolving conflicts peacefully:

- Recognize emotions and avoid having them interfere
- Use active listening skills
- Identify the underlying interests
- Seek (Brainstorm) possible solutions
- Use objective criteria to evaluate possible solutions
- Identify solutions that all parties can accept (meet common interests)
- Agree on the best solution and to come back to the problem if the solution does not work
- Look long-term to preserve the relationship.

Classroom Activities to develop conflict resolution skills:

1. Recognize emotions and avoid having them interfere.

Fisher and Ury at the Harvard Negotiating Project note that: "Emotions on one side will generate emotions on the other. Fear may breed anger, and anger, fear. Emotions may quickly bring a negotiation to an impasse or an end." To avoid this, they suggest explicitly acknowledging emotions, "theirs and yours," and recognizing them as legitimate; allowing the other side to let off steam and not responding to emotional outbursts.

Focusing on the issues causing the conflict rather than the people involved or any hostility, fear or dislike is clearly more difficult than it sounds. If you are upset with another person, it is difficult to put your emotions aside. However, that is exactly what needs to be done. Step back and recognize and understand your emotions and those of the disputing parties. Is it fear? Is it anger? What has caused these emotions to exist? Acknowledge the emotions (again, yours and theirs) as legitimate. Don't pretend that they don't exist.

For example, instead of yelling, "I hate you," which escalates a dispute to a totally emotional level without any understanding of the issues, explain that "I hate when you dismiss what I have said without even considering it because it makes me feel bad," which identifies both your emotions and the problems and enables a discussion to follow on the issue rather than just raw emotions. It may be difficult to acknowledge your fears or anger, but they will interfere less with the negotiations once they are acknowledged. Similarly, it may be difficult to listen to the person with whom you are having a dispute tell you how angry he or she is or how unfair he or she feels you have treated him or her. However, by allowing the emotion to surface and to be expressed, the air can be cleared and the disputants can focus on seeking ways to resolve the substance of their conflict.

Triggers Activity:

Triggers are verbal or nonverbal behaviors that result in anger or other negative emotional reactions and interfere with the communication between two (or more) people.

Directions: Ask students to consider and answer:

- What are trigger words for me?
- What kind of body language is a trigger for me?
- How do I know when I'm angry?
- How do I react to my triggers?

Debriefing:

- Do we see any common themes?
- It's important to recognize when someone's behavior is angering you and to AVOID body language or Words that will trigger conflict.
- It's also important to recognize when you are saying or doing something that is triggering someone else (pointing, etc.) and AVOID such statements or actions.

2. Active Listening

Civil Discourse requires that we actively listen in order to understand. The biggest communication problem is that we listen in order to reply rather than trying to understand.

What is active listening?

- If I make eye contact, do you know that I understood what you said?
- How about if I nod? If I shake my head?
- How about if I say "Yes" or "no"? Maybe
- What about if I ask a question? Shows maybe what I didn't understand.
- How about rephrasing or paraphrasing? Then you know what the other person actually understood.

Active Listening Activity: "Do I Understand You?":

Directions:

- Select a controversial issue—gun control, abortion, gay marriage, immigration, or brainstorm with your students to pick an issue that interests them
- Place four chairs in front of the classroom.
- Form teams of two students to argue the same side (Ask for four volunteers or pick them)
- Have students who will be arguing the same side sit next to each other across from the team of students arguing the opposing side of the issue
- Select one side and a particular individual to start the discussion
- No one should interrupt
- First person from the state viewpoint.
- Before the person across from him or her on the opposing team can respond, he or she must in some way restate his or her understanding of what has been said, by asking a question, restating what has been said, or paraphrasing what he or she has heard using phrases such as, "in other words ... , you are saying ", "so your point is ... ")
- Then, the person from the opposing team may state his or her viewpoint
- After both members of both teams have gone back and forth four times, other students from the class may be assigned to continue the discussion until the entire class has been involved.
- Alternatively, the original four students may demonstrate this process for the entire class.

Debriefing:

- With each set of questions and paraphrasing, the issue is clarified.
- The activity hones in on possible definitional problems that may stand in the way of understanding each other.
- The active listening also helps to lead toward possible resolutions.
- We usually are busy thinking of responses to others rather than carefully listening to what has been said and providing feedback about what we heard.

3. Identifying the underlying interests.

Separating interests and positions--what you are asking for, what you are saying, what you think you want-- from interests--you're underlying needs, whether they're economic or emotional. Positions may be totally opposing but if you get to the underlying interests, there may be some shared interests. For example, a landlord and tenant may have different positions about the amount of rent that should be paid but both want the apartment well maintained and the stability of a continued relationship..

Identifying Underlying Interests Activity: "John and Matt at the Locker"

Hypothetical:

John and Matt go to a crowded high school. They have been assigned to share a locker because there are only a limited number of lockers available. They are both on the wrestling team and also have some classes together. They have known each other since grade school and hang out with the same crowd. John often borrows items that Matt has put in the locker—a book for class, a comb for his hair, gum, a CD, a pen or pencil. He frequently forgets to return what he borrows until Matt reminds him. One day after John borrows a CD, Matt shouts at him: "Start bringing your own stuff to school." John promises to do so but a couple of days later he asks to borrow a book for class. Matt slams the locker door and shoves John, shouting, "I've had it with you, man. Quit bugging me! Don't ever ask me for anything again!" John lunges back at Matt and punches him. A teacher steps in to break up the fight and both boys are sent to the principal's office.

Directions:

- Divide half the class into groups of two to roleplay Matt and John.
- Divide the other half into groups of three to roleplay Matt, John and the principal.
- Identify the underlying interests
- Brainstorm solutions
- Evaluate the solutions

Debriefing:

After allowing the groups of students to roleplay for approximately ten minutes, ask members from each group to list the interests and possible solutions and write them on a board or chart.

- What are the underlying interests of Matt and John?
- What are some possible solutions?
- How realistic and workable are the solutions?

Since John and Matt are friends, they should both have an interest in continuing their relationship. They also have a mutual interest in solving the locker problem. The possible solutions might include: asking to be assigned other locker partners, agreeing that they will not borrow any of each others' belongings in the locker, setting aside specific space in the locker for each of them. Your students will probably have more creative ideas. It is important for your students to brainstorm without evaluating the possible solutions and then to consider all of the possible solutions side-by-side. List all of the possible solutions raised in the groups and have the entire class evaluate them.

As part of the debriefing, compare the process and results in the direct discussion between Matt and John and the one with the principal. From an early age, we teach young people that conflicts are mostly resolved by authorities: parents, teachers, leaders; or by a judge, police officer, boss, director or president. It will be interesting to compare the results of a resolution by an authority (the principal), or with the aid of a third-party (the principal as a mediator), or by the students themselves. The authoritarian solution might be the same as what the boys might agree upon (no borrowing or different locker partners), or it may involve punitive

measures. Ask the students playing the roles of Matt and John how they felt about the solutions and see if there is any difference between those solutions that were generated by the two boys and the ones imposed by the principal.

4. Negotiating

Students can negotiate using the skills that your students have practiced. Negotiations are simply discussions between two or more parties with conflicting interests. The steps include the following:

- The disputants agree to ground rules: they will avoid triggers, put-down, interruptions and other language or behavior that will interfere with the negotiations.
- Each side tells the story from his or her perspective
- The disputants use active listening skills
- The disputants identify the issues and interests.
- They brainstorm possible solutions without judging them
- They evaluate the options, using objective criteria.

Negotiating Activity: "Going to the Cleaners"

Hypothetical:

Ken Jones had bought a \$250 sports coat last year. This was a lot of money for him. He had worn it several times, but it was still relatively new. It was his favorite sports coat. He brought it to Ace Dry Cleaners to have it cleaned. When Ken picked up the jacket at the Ace Dry Cleaners, he found a fairly noticeable cigarette burn that hadn't been there when he brought the coat to the cleaners and he does not smoke. Ken asked the cleaners to pay him \$250 for the ruined sports coat. Ace denied that he was responsible for the burn because there was a no smoking policy at work and no one smoked. He refused to pay. Ace also argued that the coat was used and was no longer worth \$250. Ken countered that he would have to pay at least \$250 to buy a similar coat.

Directions:

- Divide into pairs (or add a third person as an observer)
- Assign or select roles as Ken or Ace.
- Play your roles as Ken (whose jacket has a burn hole in it) and Ace (the owner of the dry cleaner). The observer takes notes on the process and results.
- Use active listening skills.
- Identify the underlying interests of Ken and Ace.
- Brainstorm at least three possible solutions
- Identify objective standards and evaluate the possible solutions.
- Try to come to a resolution that meets the most important interests of both parties.

Debriefing:

- What is the issue?
- What are the interests?
- What are the possible solutions?
- What are some objective sources for evaluating the possible solutions?
- Who was able to resolve the dispute?
- For those unable to resolve the dispute, what were the impediments?
- For those who resolved it, what were your solutions?
- Do these solutions look workable? Evaluate them one at a time.
- Can they be enforced without the help of outside person?
- What is the benefit of working out solution themselves rather than going to the police, a judge?
- Could an outside person help to resolve the dispute?

5. Mediation

Mediation involves a third-party, with no interest in the dispute, who helps the disputants to come to a resolution. It allows the conflict to surface and be managed and directed toward resolution. The role of the mediator is not to decide what the best solution is but to help the disputants come to a resolution. It still enables the parties to frame their own agreements. It can produce creative, value-added solutions that are durable and may "enlarge the pie" and assist in continuing relationships.

When is a mediator necessary? If direct negotiations do not work, a mediator might help to focus the discussion on interests, options and criteria. A mediator may be necessary when the parties are unable to separate their emotions from the problem, when the issue is highly controversial, when the parties have uneven bargaining power, and when the parties are unable to identify the issues or their interests. Where parties are willing to talk with each other and situation is sufficiently calm, negotiation is more likely. Where issues are complex, parties are unwilling to talk or situation is hot or emotional, mediation is probably necessary. For example, mediation is sometimes used in divorce proceedings because the parties are sometimes very emotional. Mediation is also used in complex environmental cases that require a great deal of expertise on the part of the mediator. Mediation may help to even the playing field when one party has a great deal of bargaining power.

Mediation Activity: "The Noisy Neighbor"

Hypothetical Facts:

Cora lives in a duplex on a quiet street in Shortville. She has enjoyed living there for several years. The house is on a bus line and close to a grocery store. Several months ago, George, a father with two teenagers, Louis and Ana, moved into the upstairs apartment. Now there is a lot more noise in Cora's building. Some evenings the noise makes it impossible for Cora to get to sleep. Cora wants to get along with her new neighbors, but several times she has had to talk to George about the noise. George considers Cora to be a complainer. He knows that the kids

should be quieter, but he does not like to keep after them about it. Last night Louis came home with a friend from a party around 3:00 a.m. and made a lot of noise in the hallway. Cora was so frustrated that she opened the door and started yelling at the kids. Her yelling triggered Louis' anger and without thinking, he picked up a broom that was in the corner of the hallway and shook it at her. The broom hit one of the little windows in Cora's door and shattered it. Cora called Louis a juvenile delinquent and vowed to call the police.

Directions:

- Divide into groups of four (Cora, George, Louis, and an observer); or five (Cora, George, Louis, a mediator and an observer).
- Assign or choose roles
- Acknowledge any emotions
- Identify the issues and interests
- Brainstorm possible solutions
- Evaluate each solution
- (Mediator helps) the parties to find a resolution agreeable to all
- Observer takes notes on the process and results

Debriefing:

- Did the mediator introduce everyone and set the ground rules?
- Did the mediator help the disputants to acknowledge their emotions? Did they avoid triggers?
- Did the mediator help the disputants to identify interests and issues? What were they?
- Did the mediator help the disputants to generate options? What options were generated?
- What objective criteria were used to evaluate these options?
- Which groups were able to resolve the dispute?
- For those unable to resolve it, what were the impediments?
- For those who resolved it, what were your solutions?
- Do these solutions look workable?
- Did the mediator help to resolve the dispute? How?
- What is the value of having a mediator help disputants resolve their conflict?
- What is the value of having the disputants resolve their conflict by themselves?
- What would probably happen if these disputants were unable to resolve their conflict?

Invent your own hypotheticals or use a fact pattern based on real life.

From: *Conflict Resolution and United States History* (NJ Center for Civic and Law-Related Education, 2008)

Why is respect for diverse perspectives a crucial component of civil discourse?

Respect for points of view that are different from your own is the basis for discussion. Otherwise, active listening is not taking place and resolution is not possible. Sometimes the resolution to a conflict is to agree to disagree.

What strategies can help us better incorporate multiple perspectives into civil discourse?

Conclude: Discourse on issues of disagreement will be more civil and more fruitful if it is:

- Based on respect for multiple perspectives
- Involves Active listening
- Identifies underlying interests
- Uses objective criteria (fact-based) to evaluate possible solutions; and
- Looks long-term to preserve relationships

Classroom Activities for practicing active listening/civil discourse skills (See :

- Continuum/take a stand—See <https://civiceducator.org/take-a-stand-method-controversial-issues/>
- Civil Conversation--See https://www.crf-usa.org/images/pdf/civil_conversation.pdf
- “ Resolving Confrontational Issues Using Comics,” See <https://www.learningforjustice.org/classroom-resources/lessons/cooperative-comics>
- “Philosopher’s Stone” for “Dealing with Controversial Topics,” See <https://www.learningforjustice.org/classroom-resources/lessons/the-philosophers-stoneC3Inquiries>
- Guided discussions—See https://help.blackboard.com/sites/default/files/bb_assets_embed/19000/Course_Structure_-_Guided_Discussion.pdf
- Socratic Smackdown—See <https://clliance.org/wp-content/uploads/2020/02/SocraticSmackdown.pdf>
- Moot courts—structured format for considering constitutional issues—See <https://www.streetlaw.org/teaching-strategies/moot-court>
- Philosophical Chairs discussion—See <https://www.edutopia.org/article/framework-whole-class-discussions>
- Legislative hearings—structured format for considering solutions to problems—See <https://www.streetlaw.org/teaching-strategies/mock-legislative-hearing>

From: New Jersey Center for Civic Education website at <https://civiced.rutgers.edu/resources/suggested-practices>