

Foreword

Rural America today is faced with many potential and current conflicts. Outside forces such as corporations, national and international markets, government policy, urban development interests, and communication networks often compete with the interests of rural residents. As many of you know firsthand, interests within rural communities regularly come into heated conflict. Whether it is over local historical preservation, the directions of economic development, the significance of community symbols, chemical fertilizer use, or zoning, rural spaces are contested terrains, both within and from without. It is tempting to believe that the source of most conflict in rural America comes from the outside interests, but such thinking ignores the power within these communities to create, sustain, and resolve conflicts.

As much as it is important for people in rural communities to work towards alleviating the structural origins of public conflict, it is also crucial that they be equipped with the knowledge and skills to handle the present and future conflicts that emerge *within* their communities. It is an underlying philosophy of this manual that conflict is a natural condition within relationships, and that it is not necessarily bad. Conflict situations can be opportunities for positive growth just as much as they can destroy relationships. The consequences of conflict are largely determined by how we deal with it. To that end, this manual is devoted to teaching well-tested approaches for coping with public conflict.

Objectives of *Lemonade*

This manual is a train-the-trainers tool. It is designed to be taught and used primarily by extension educators, community officials, and citizen leaders. The basic goal of the manual is to give workshop participants the applicable knowledge and skills to help teach others how to identify, understand, manage, and when possible and desirable, to resolve conflicts within their own communities. The materials that follow and the training sessions themselves are resources and guides. It is not our intention for *Lemonade* to be taken as a map on how to educate people to deal with conflict. These are concepts and skills that training participants can adapt to meet the needs of their constituency. Just as every community faces unique conflicts, so must the precise manner in which we confront and deal with conflict be of its own design. We hope you leave this training with (at least) two things: different ways for understanding the sources and forms of conflict; and concrete skills for addressing it.

Content of *Lemonade*

The content of this manual is borne out of experience. Public conflict resolution is by definition an applied field. The application of knowledge, or ‘practices’, is always informed by philosophical origins. *Lemonade*, however, does not go into lengthy detail in discussing the philosophical sources of its ideas on the practices of conflict resolution. Rather, we intend for these informing ideas to be evident through the way in which they are applied. This manual, after all, is only as good as it is useful for leading participants to think and act anew towards conflict.

The skills we introduce circle around the interest-based problem solving approach, sometimes referred to as ‘collaborative problem solving’ or ‘principled negotiation’. Interest-based problem solving centers on getting people in conflict to look beyond their positions within a

conflict, and to examine what they really need and want from the situation. This is done jointly so that all parties involved can understand the perspectives of the others. Despite what conflicting parties often believe, satisfying their true interests does not have to mean blocking others from reaching theirs as well.

Interest-based problem solving is taught as an analytical and practical framework for both impartial third-party neutrals and advocates—people directly involved and with a stake in the ultimate outcome of a conflict. Several role plays allow the participants to consider and apply the introduced skills. It is our hope that these role plays will generate the greatest amount of reflection and group discussion. It is through the post-exercise discussions that the richest content of this manual is realized.

Format of *Lemonade*

The manual is laid out in 15 units that build upon and complement one another. On the first page of each unit there is a description of the unit's purpose, the estimated time it will take to discuss and practice the skills, a list of materials used, and a few sentences about the content of the skills to be introduced and practiced. Following all of this are step-by-step directions that guide the trainer in sequencing and explaining the materials. Although the directions are designed to be straightforward, it is essential that the trainer be familiar with and prepared for the questions the unit raises and the resources it calls for.

As mentioned earlier, the *Lemonade* is not a script to which the trainer must plod through verbatim. Once a trainer becomes familiar with the materials they may wish to leap around from unit to unit, skip sections that aren't pertinent to the teaching situation, and develop role plays and overheads that are more meaningful to their constituency. We invite these adaptations and innovations. That said, the format of the manual is standardized and somewhat formal because that makes it easy to follow. We want the first-time trainer to be confident that they are covering a topic adequately, so we provide everything we believe they will need to do that. The experienced trainer should feel free to pick-and-choose the units that suit their needs and teach them in ways they feel will connect to their audience.

Limitations

It must be understood that interest-based problem solving will not resolve every public conflict to which it is applied. There are appropriate times for litigation, avoidance, accommodation, compromise, and other approaches for dealing with conflict. The workshop participant must bear in mind an admonishment we make throughout the manual: **Choose the approach that works best in your situation. There is no form or type of solution to conflict that is best for every conflict.** A specific limitation to interest-based problem solving is that it requires cooperation, in fact collaboration, from the stakeholding parties. If people in conflict do not want to work together towards resolution there is no magic wand that can make them.

A related limitation to this approach is in the execution of post-negotiation agreements. In some cases, agreements must be legally binding to insure that all parties will carry out the agreement. The will of the stakeholding parties is what makes an agreement stick, not the fact that they went through a formal process. We discuss the development of consensus and ways to build durable agreements.

An important limitation of this manual has to do with timing. Ideally a trainer would have at least three days with their participants. This length of time would allow trainers to indulge

lengthy discussions and supplemental materials they bring in themselves. But, being that people who are involved or interested in this type of training likely already have a dozen things they could be doing with their time besides this, the following list is provided for trainers with a limited amount of time:

Recommended Units

Half-day training: 1, 2, 3, 12, 15 (without Wolf role play)

One day training: 1, 2, 3, 4, 7, 10, 12, 13, 15

Two day training: 1, 2, 3, 4, 5, 7, 9, 10, 12, 13, 15

Notes of Interest

Turning Lemons Into Lemonade is not under copyright. This means that you are welcome to duplicate the manual's materials. All that we ask is that you give proper credit to the authors. In the spirit of how we hope the manual is used, we invite your comments and recommendations on how to improve *Lemonade*. Contact the authors with questions and for information on scheduling training sessions at:

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The Integration of Public Conflict Resolution and Public Policy Theories and Insights

Introduction

Policy makers, public administrators, and citizens have embraced public conflict resolution processes as methods of dealing with community conflict in constructive ways. We point out in this handbook that when handled in a positive manner, resolution of public disputes can build long term community relationships, foster community growth, and even strengthen democracy. We identify an implicit link between conflict resolution processes and democratic decision-making.

However, the link between the resolution of public disputes and the implementation of public policy is not always readily apparent. Both are processes in which people work toward some desired communal aim. But our conventional view of public policy decision-making is of a process that tends to follow established formalities and rules, while conflict resolution processes on the other hand, are decidedly less formal and structured. Moreover, the role of authority in formal decision-making is well understood. As citizens in a democracy we have specific expectations of our elected leaders, at a minimum they are in office to make decisions that affect us. But unless formal leaders are directly involved in a public dispute or its resolution, conflict resolution processes seem to occur outside the purview of representative government.

How are informal conflict resolution processes linked with formal public policy processes, and why even should they be? We can look for answers from two perspectives: the perspective of the citizen, and the perspective of the formal leaders. We will investigate first from the citizen perspective.

Citizen's Perspective

Tonn and Petrich (1997) identify six characteristics that democracy requires of its citizens, namely: capability, identity, ideology, mental models of governance, social networks, and effort. The first five are prerequisites for the sixth. In other words, in order to effectively contribute to wise policy outcomes citizens need to understand the issues affecting them, identify with the community facing the issues, have a guiding ideology to discern what is important, understand how decisions are made, and be able to work with others to make those decisions. Barriers to effective citizen involvement in public decision-making occur at each of these requirements.

Barriers to citizen participation in public decision-making become magnified when people are in conflict. For example, if information is inaccessible, misunderstood, or presented with bias, people will have an inadequate foundation from which to make wise personal and public choices. In conflict situations, opponents often use information strategically to reduce effective opposition. Ideological differences among citizens and citizen groups, can either enrich the public dialogue, or if exploited in an arena of conflict, can stifle communication and information sharing. Moreover, ideological schisms can polarize communities, corrode community identity, and stifle social networking. When citizens are in dispute over public choices, the perception of the role of government becomes part of the issue. Without a clear and open connection to governance, a pall of suspicion and a distrust of the motives of those in authority can reduce the effectiveness of citizen involvement.

The relationship between conflict resolution processes and public decision-making can be further illuminated when we look at ways that citizens interact with one another and their elected leaders within the decision-making process. This is especially instructive when we consider how individuals interact within interest-group coalitions. From the citizen perspective, this interaction begins with the recognition of a social problem, injustice, or inequity. Hahn (1988) describes a process of public decision-making that typifies the way decisions are reached when those in positional authority – elected officials for example – are the final arbiters of public choices. Hahn’s stages of the decision-making process are illustrated in Figure 1.

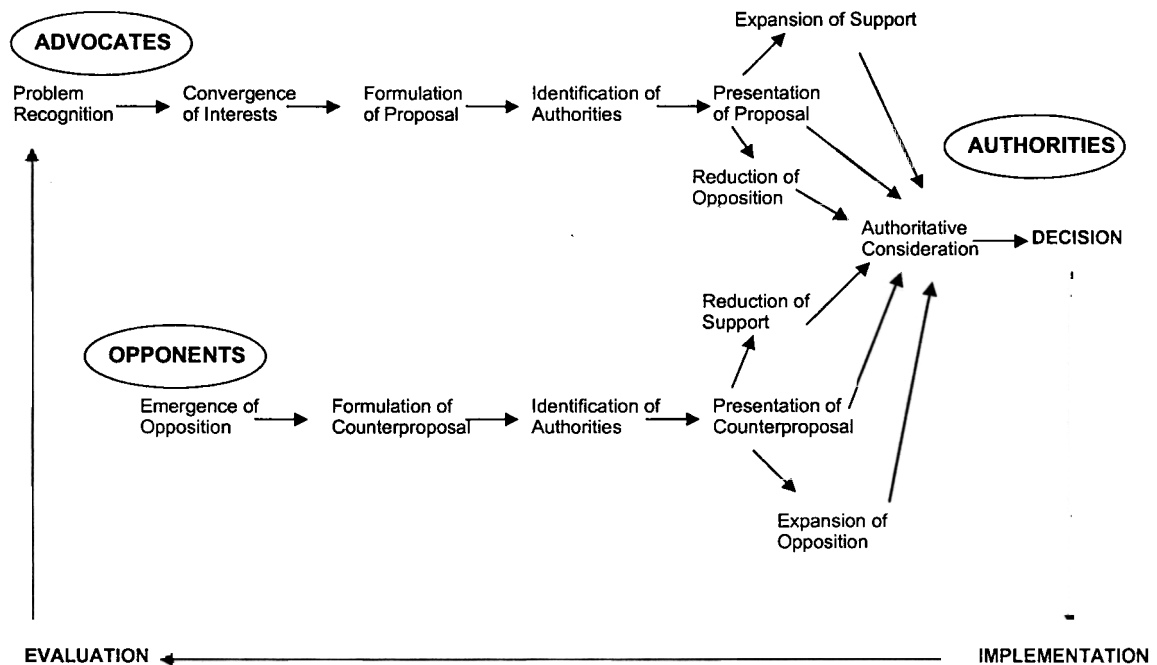


Figure 1. Stages of the Formal Decision-Making Process (Hahn, 1988)

Hahn refers to the initiators of a decision-making process as the advocates. In recognizing a problem and initiating the process, the advocates are seeking a change in the status quo (or a restoration of such). Where controversy exists about the issue, and the advocates voice their concerns and desires for change, opposition may emerge. Both the advocates and opponents seek others with similar values and interests and form coalitions to strengthen their positions. As the advocates formulate proposals for action, opponents formulate counterproposals. Both sides begin to strategize, first by identifying the appropriate authorities for the issue, then taking actions to maximize the likelihood that the authorities will make the desired decisions. These actions include offering proposals and counterproposals to identified authorities, gathering additional support, and attempting to reduce support for the opposition. At this stage in highly conflictual situations, interest groups attempt to manipulate or withhold information to diminish the effectiveness of the opposition, further dividing the citizens embroiled in the conflict and polarizing the community. Any actions proposed by the governing authorities creates winners and losers.

Decision Maker's Perspective

From the decision maker's perspective, issues that engender public conflict and divide communities into advocates and opponents often result in an extremely limited set of political choices and loss of support from one faction or another. As citizens lose a broader community identity in place of identity with a single issue, social networks begin to erode, reducing the ability of authorities to make decisions that benefit the entire community.

Decision makers are usually prepared to make technical decisions to resolve public problems. For example, if a street intersection is considered dangerous, the decision maker may be faced with a decision to either reduce the speed of traffic flow, change or improve traffic signals and signage, change the configuration of the intersection, or some combination of the three. But as public issues increase in complexity, the correct mix of technical solutions becomes less apparent. In situations where public conflict divides communities, decision makers often face a choice between two polar positions and a decision in which they cannot win. It is precisely these situations that Heifetz (1994) calls opportunities for adaptive work. Citizens and decision makers must engage in a productive interaction of different ideologies through which each individual can learn from one another and explore differing realities and their challenges. Conflict resolution is adaptive work.

It is useful here to explore the expectations of leadership with respect to resolution of contentious public issues. Citizens expect their leaders to make decisions, and to take unpopular stands when necessary. A formal leader is traditionally defined as one who has a vision or agenda, coupled with the ability to articulate that agenda, gain support for it, and bring it to fruition. Public conflict often is centered around issues that are socially and technically complex. When we place the burden of resolving disputes around complex issues in the lap of our formal leaders, we are bound to see our leaders eventually fail to meet our expectations.

It is this realm of difficult and complex public issues that puts citizens at odds with one another and leaders to the test. Heifetz and Sinder (1990) point out that complex public policy situations are hard to define and resolve precisely because they demand the work and responsibility of the constituents. Many complex problems are not amenable to solutions provided by leaders, but require adaptive work of constituents.

Heifetz and Sinder offer a typology of public policy situations that require different loci of decision making, i.e., decisions can and should be made by the leader alone, by the leader and citizens, or by citizens. As shown in Table 1, the situations become more complex moving from Type 1 to Type III. Examples of the three situational types are given below.

Table 1. Policy Situational Types and Locus of Decision-Making.

Policy Situation	Problem Definition	Solution	Locus of Decision-Making
Type I	Known	Known	Leader
Type II	Known	Unknown	Leader and Citizen
Type III	Unknown	Unknown	Citizen

Source: Heifetz and Sinder, 1990.

Type I Policy Situation

- **Problem:** The problem is commonly understood and agreed upon
- **Solution:** The solution is known and can be implemented
- **Locus of Decision-making:** The political leader can identify and carry out the best technical solution with little or no involvement of citizens.

Example:

Problem: *A street intersection where the number of crashes is above the city average.*

Solution: *Traffic engineers identify that a traffic signal is the most effective and least expensive method of correcting the problem.*

Locus of decision making: *City council member appropriates funds to the street department to install the traffic signal.*

Type II Policy Situation

- **Problem:** The problem is understood and generally agreed upon
- **Solution:** No clear-cut technical solution is available; or the range of solutions is potentially large, each solution affects different people in different ways (there are potential winners and losers)
- **Locus of Decision-making:** The political leader is confronted with an array of potential solutions but must work with citizens to select the best options.

Example:

Problem: *The county landfill does not comply with new state and federal requirements. Solid waste must be disposed of in some other manner.*

Solution: *A range of potential solutions exists including contracting with a private firm, constructing a new landfill, incinerating the waste, increasing the rates of recycling and reuse.*

Locus of decision-making: *County Commissioners must work with affected citizens to determine the option or options that best meet the interests of all.*

Type III Policy Situation

- **Problem:** Many people disagree on the problem. No single problem can be identified.
- **Solution:** With no consensus on the problem definition, there can be no consensus on potential solutions.
- **Locus of Decision-making:** The political leader must rely on citizens to guide decision-making. Citizen participation in the decision-making process is key to identifying the problems and generating options to solve them.

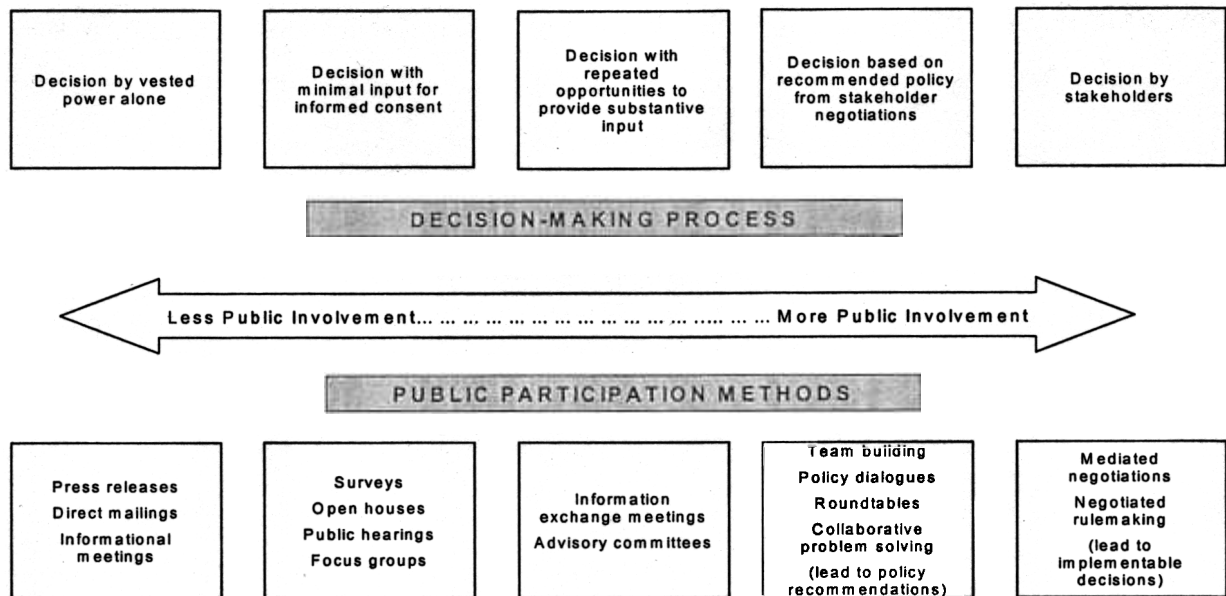
Example:

Problem: *The local water supply reservoir is showing symptoms of heavy sediment and nutrient loadings. The agricultural community blames the problem on urban development, developers point to the farmers, and all blame the state regulatory agency for not enforcing state rules.*

Solution: *Since each interest views the problem from a different perspective, each is armed and ready with a preferred solution.*

Locus of decision-making: *The political leader cannot decide on the problem much less the preferred solution without losing support from one or more factions. Citizens must work collaboratively to identify and agree upon the problems and generate options for their resolution. If all affected citizens reach consensus on the preferred solutions, then the political leader's decision is a simple one.*

Important public policy issues usually are characterized as Types II and III. Resolution of Type II and III situations requires a shift in the locus of decision-making from leaders alone to a sharing of decision-making responsibilities between leaders and citizens. Leaders must be



willing to relinquish some decision-making authority to citizens. Citizens must engage in adaptive work by defining the problems, identifying and evaluating options for mutual gain, and helping their leaders to make the best choices.

Public Participation and Conflict Resolution

The locus of decision-making can be viewed as a continuum or spectrum (see Figure 2) with policy decisions made solely by those with authority on one end, to decisions made by citizens on the other end, and a mix of shared decision-making in between. Running parallel to the decision-making continuum, is a spectrum of public participation methods. These methods can range from one-way information techniques such as press releases, to negotiated rule-making where stakeholders make implementable decisions.

Conflict usually manifests itself when people with a stake in the issue offer solutions that are counter to the interests of other stakeholders. Resolution of public conflicts usually requires a setting where stakeholders can physically meet together to work through their differences. Within the context of public participation methods, these face-to-face encounters are more likely to occur on the rightward side of the spectrum where citizens and leaders are engaging in adaptive work.

Figure 2. Spectrum of Decision-Making and Public Participation Processes

The link between public policy decision-making and public conflict resolution can best be understood by examining the relationships between citizens, leaders, and decision-making processes. As policy situations become more complex, as citizens become more engaged in making policy choices, and as decision-making processes become more inclusive, good policy outcomes increasingly rely on processes designed to resolve public conflict. Conflict resolution process, like the problems that call for them, are often messy, difficult to define, and involve many people and interest groups. But the outcome is usually a richer mix of potential policy choices for both decision maker and citizen.

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