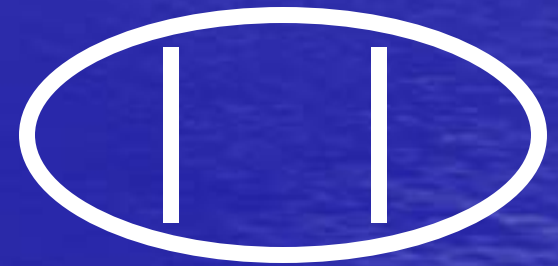
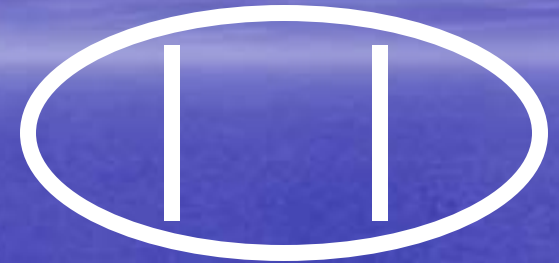




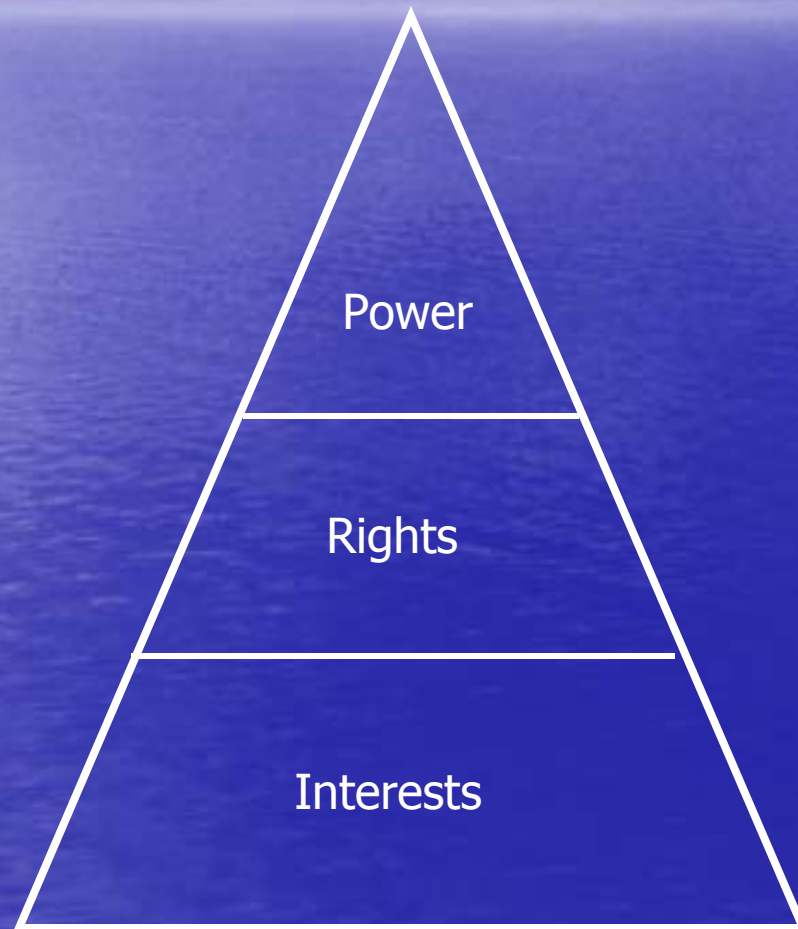
# Conflict Resolution Models & Mediation Theory

# Conflict Resolution

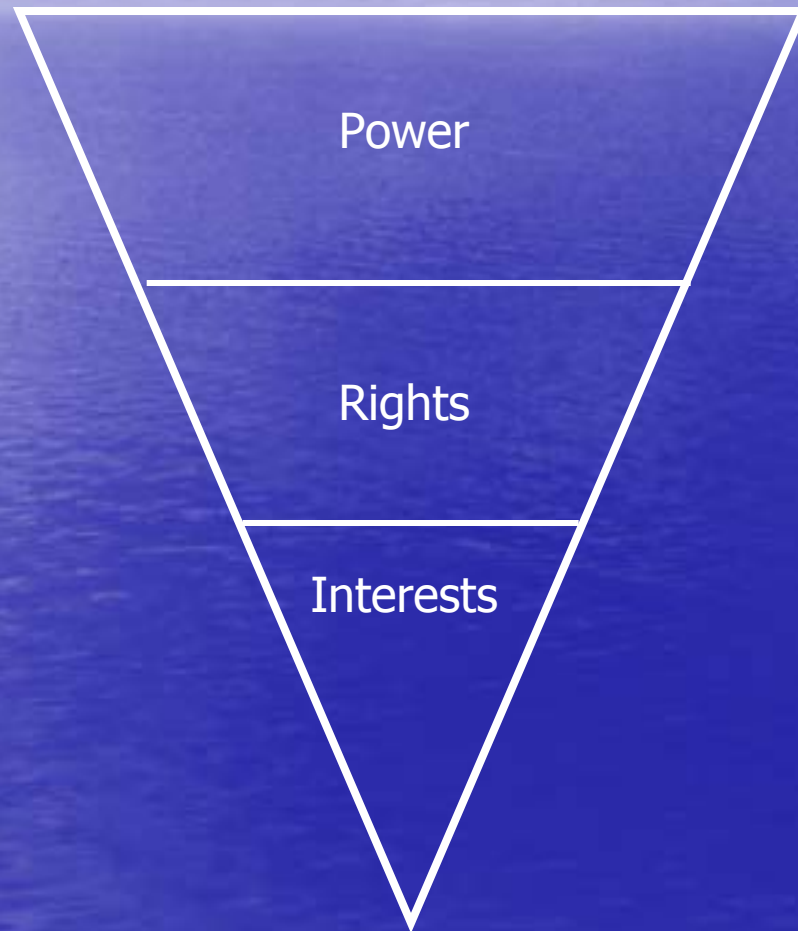
## Claassen's 4-Way Model



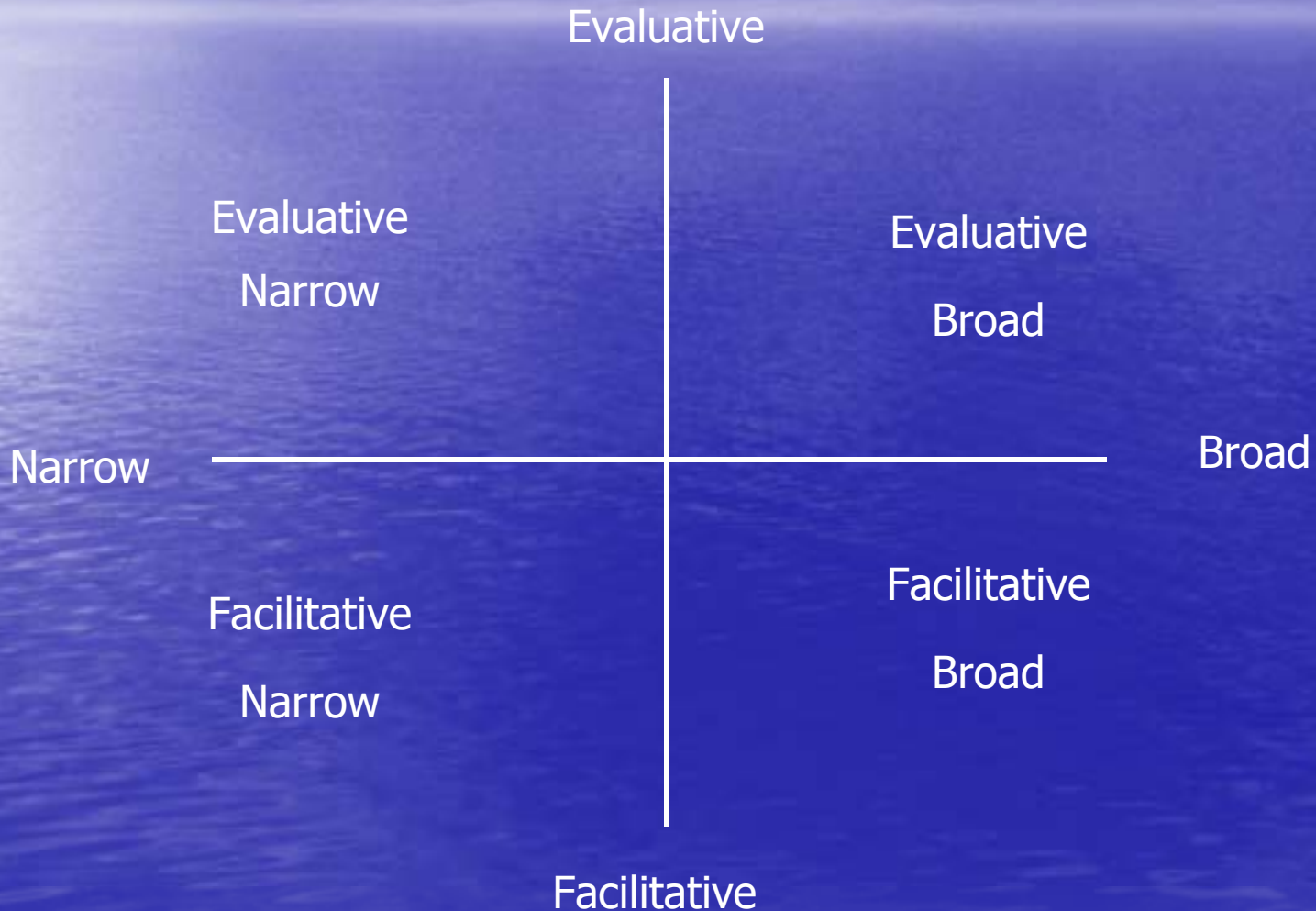
# Fisher, Ury, Goldberg



# Unstable System



# Riskin's Grid



# Conflict Resolution

## The Legal System



- Adversarial
- Formalized Processes
- Requires Professional Representation
- Does Not Address All Conflict Goals

# Conflict Resolution

## Evaluative Mediation

- Facilitated negotiation
- Controlled by attorneys; parties are usually passive
- Mediator seeks concessions by devil's advocacy
- Does usually not address conflict dynamics

# Conflict Resolution

- Transformative Mediation
  - Self reliance and self determination
  - Acknowledgment of other perspectives
  - Expression of concern for another, despite disagreement or diversity
  - Individuals are allowed to reach into themselves and reach out to others.
  - Human capacity for concern of others is realized.

# Conflict Resolution

- Process Choice
- Transformative vs. Evaluative

# Conflict Resolution

- Theory of Mediation
  - The nature of the conflict dictates the mediation process to be used and the conflict's likely outcome.

# Conflict Resolution

- Theory of Mediation
  - Theorem No. 1
  - As long as the conflict remains centered on content goals and has not escalated beyond Stage III, evaluative mediation will tend to work.
  - Corollary: Evaluative mediation is not efficient or effective at high levels of conflict or when identity or relationship goals are in play.

# Conflict Resolution

- Theory of Mediation
  - Theorem No. 2
  - As long as the conflict remains centered on identity or relationship goals or has escalated above Stage III, transformative or narrative processes are effective and efficient.
  - Corollary: Transformative and narrative processes are not efficient or effective at low levels of escalation or when content goals are solely in play (e.g. pure distributive bargaining situations)

# Conflict Resolution

- Theory of Mediation

- Theorem No. 3
- Parties will be satisfied with their outcomes based on the nature of their conflict.
- Corollary No. 1: Outcomes based on settlements or mutual agreements will be satisfactory when the conflict is below Stage III and is not driven by relationship or identity.
- Corollary No. 2: Outcomes based on transformative principles will be satisfactory when the conflict is escalated above Stage III and is driven by relationship or identity goals.

# Summary

- 4 ways to resolve conflict
- Power, rights & interests
- Types of mediators
- Mediation theory