

The Heart of Conflict Resolution—Strategies for Peacemaking Presented by Eva DeFranco

Good morning. I know you are all here today to watch a divorce lawyer struggle to talk about peacemaking. I can't say I blame you. It's a little ironic. Lawyers can have a tendency to escalate the very conflict they are seeking to resolve for people. But, over the last 25 years of my practice, I have come to understand that conflict is a problem to be solved, not a battle to be won.

Most of us don't like conflict. I think a lot of us have developed ineffective ways to deal with conflict that does not result in resolution but either an escalation of conflict or an unhealthy simmering resentment that can permeate relationships in all kinds of unhealthy ways. Fight or flight. I'm going to share with you one of Tich Nhat Han's stories which has helped me when I want to simply avoid a personal conflict. In his book *You Are Here* he tells a story of a young couple living in his village in Vietnam. The wife was pregnant; war broke out and the young man had to go and serve in the army. He was away for three years. Upon his return, his wife greeted him with joy and he met his son for the first time. The young woman went to the market to get what she needed to make the young man dinner and an offering to the family shrine to celebrate his return. While the woman was at the market, the father tried to persuade his young son to call him daddy. The child refused and said you are not my daddy. My daddy is another man who comes every evening. My mommy talks to him and cries with him and when my mommy sits, he sits too and when my mommy lies down he lies down too. The young father's happiness evaporated on the spot; he became ice. The wife came back and sensed something was very wrong. They didn't talk, the H did not look at the wife. The wife prepared the offering silently. After the H did the offering himself he went to a bar and spent the whole day drowning his sorrows. He didn't come home for 3 days. By the fourth day the pain was too much for the wife so she threw herself into a river, never to be seen again. The young man upon hearing this news went back to the house to stay with his son.

Suddenly the little boy began to shout, “there is my father” and he pointed to his father’s shadow on the wall. Every night my daddy comes and mommy talks to him for hours and she cries a lot. The man who had come every evening was actually the mother’s shadow. The truth was that the young woman waited faithfully for her husband, had told her son that her daddy was her shadow because her son was concerned that he didn’t have a father when all the other kids did. She had talked to her shadow to convince the boy. The truth was out but it was too late.

This story is harsh but it certainly brings home the point. In avoiding conflict rather than facing it, we harden our hearts and build these false perceptions that may cause horrible pain and suffering. . In this situation, the young Husband could have said to his wife, “ I am suffering, please help me understand who that man is”; the young wife could have said to the Husband “I am suffering, please help me understand what is happening”. The tragedy could have been avoided by getting to the heart of the conflict, by each party being open, finding a soft spot, listening in order to fully understand the other and then having a meaningful dialogue with the goal of resolving the conflict. Only then, can we free ourselves of the corrosive and insulating effects of misperception which in my opinion is often the very root of conflict. In the same vein, when faced with a conflict, sometimes we harden our hearts and get aggressive; fighting perceived war with war. We objectify the other person, demonize them in order to justify our own rightness. The worse we make them in our minds, the more justified we feel. They become objects, obstacles, vehicles or irrelevancies. Seeing others as an object is an act of violence. It hurts another person as much as a punch in the face.

I went up to bear mountain last Sunday morning to walk my dogs; I should have been at church, wish I was at church now because then I wouldn’t have had the experience I’m about to tell you about. So I get to bear mountain right in back of my house; I’m up there all the time walking my dogs. I walk into the trail with my dogs on leashes—there are about 10 cars in the parking lot which is unusual. Usually there are about 3 of us there hiking at any given time. I have this really

uncomfortable feeling and I'm thinking, I should turn around and go somewhere else. I see a cop pulling up behind me. So, I turn around and head back to my car. Well, as I'm walking back this woman opens her car door and this big akita comes running at me and my dogs and starts going after my dogs. My knees buckle I go down on the ground and I could do nothing but beg and plead and yell, please don't let him hurt my dogs. The cop is pointing a taser at the dogs; finally the woman manages to get her dog away from mine and put him in the car.

I'm shaking but get my dogs in the car; check them out, get them some water and go to a different trail with less people. As I'm walking, a couple that I know from bear mountain comes up to me to tell me that they just had an ordeal up in bear mountain. They recount that this woman yelled at them to put their dog on a leash as they were walking into the trail. The guy told her to mind her own business and they began a very heated verbal exchange which resulted in the woman with the dog calling the cops on this other couple because they didn't have their dog on a leash. The couple left before the cop came.

So what happened here. Faced with aggression from the woman, the gentleman acted with aggression. Instead of apologizing for his dog being off leash and putting the dog on a leash, he immediately objectified the woman and began demonizing her as some nosy whack job who had nothing better to do but to look for a fight and destroy his peace on Sunday morning. The woman, instead of simply asking the gentleman to put his dog on a leash and explaining that her dog wasn't that socialized to other dogs, objectified the guy and began demonizing him as someone who was so selfish and arrogant that he thought he was above the law. Both had hearts at war to begin with—I'll get to that a little later. The violence, the conflict escalated which resulted ultimately in more violence against me and my dogs, innocent bystanders.

Violence and aggression breed violence and aggression. And it always starts with an individual; always. If we don't deal with conflict in a wise and effective way that improves our relationships, we invite violence and aggression rather than peace. I believe that being in the world in relationship with others is a fundamental need. When we deny ourselves of that fundamental need, we shut out others and insulate ourselves. We

stop looking at people as people. People become objects. It's a lot easier to choose to go to war with objects.

It was Carl Jung who said the only way around conflict is through it. Fighting doesn't work; fleeing doesn't work. The Key really is to work through the heart of the conflict wisely and effectively and in a way that will not hurt the relationship.

There are many, many strategies that can be helpful in resolving conflict and many of us simply apply them instinctively when we really want to resolve a conflict with another person in a positive way. I've found strategies that are designed to build or maintain a good relationship as the first priority to be the most helpful. These include: treating the other person calmly and with respect, being courteous. When I can separate the person from the problem, I have much more success. Most people aren't difficult just because they want to be difficult. When conflict arises, most of the time there are real and valid differences behind how people feel and the positions they are taking. Think about it, have you ever been in a conflict with someone who thought he or she was wrong?. We can have real debate without personalizing it. Focus on the issue, not the person. Be soft on the person and hard on the problem. And always ask, what is the problem to be solved. Usually it's not a personality trait with the other person.

Focus on interests, not positions. A position is something you've decided on; an interest is what caused you to take the position. If you define a conflict in terms of positions; one party will always lose and one will win. Imagine a divorcing couple whose only marital asset is a big, juicy orange. A judge is simply going to whack up the orange and give half to the wife and half to the husband. But imagine that the wife loves orange juice and drinks it morning, noon and night. The Husband hates orange juice but loves potpourri. He uses the orange peels to make it every night. If you get to the interests of the parties here, you can easily come to a win, win resolution of how to divide their marital assets. So, ask, why are you taking that position?; what is your real concern? Go deeper and get curious. And pay attention to the interests that are being presented. Listen, really listen. The most successful

negotiators understand the other side's concerns and worries as much as their own. To solve a problem effectively, you have to understand where the other person is coming from before you defend your own interests. When we listen to each other, really listen, we pay another person the deepest respect and satisfy the most basic of all human needs—the need to be understood. Real listening is hard but it's a skill that can be developed. Sometimes we don't listen at all because of our own distractions—we have busy minds. And sometimes, even when we listen, we listen with and through our own projections, our own anger or fears or anxieties and hear only what we want to hear or only that which will give us comfort. If that's the only listening we can muster, we're really not listening to anything but our own voice. And if we don't listen, we are simply justifying our own positions more deeply and escalating the conflict. Restate, paraphrase and summarize what the other person is telling you out loud. This allows us to really process what the other person is saying and it let's the other person know that you really have understood. When it's your turn to talk, 9 times out of 10, the other party will mirror your behavior. I could go on with a laundry list but I want to spend some time on what I believe to be the most important variable in resolving conflict, in my opinion, the key to making things right in a relationship that is strained by conflict.

That is, our way of being, our attitude, how we approach the person with whom we have conflict. I learned this concept from a book called *The Anatomy of Peace* by the Arbinger Institute and much of what I say here is lifted from the concepts developed in that book. If my heart is at peace, I will see the other person as a person, as real to me as I am myself; their cares and concerns matter the same to me as my own and I actively respond to their humanity—to their uniqueness, their flaws, their hopes, their doubts their good qualities.. If my heart is at war, I see the other person as an object, not real, their cares and concerns are unimportant compared to my own and I resist or deny their humanity. —.

First, I think that the Arbinger model spoke to me because of my view of human nature. I believe that we are all made up of the same stuff at our core— a light, something of, but also beyond ourselves—and that this

light ultimately and inevitably connects us to each other. I believe that we naturally understand this and want to honor it so that we can feel connected in a meaningful way. I believe that when we don't honor it, and I often don't, I betray myself. When I do betray myself I feel a need to justify myself. And when I begin to justify myself, I begin to objectify others and my heart is at war. I start to see things in a crooked manner. If I approach a conflict when my heart is at war and I am seeing things in a crooked way to justify myself, I am never going to invite a peaceful resolution.

In my bear mountain ordeal, the woman with the dog was betraying herself because she knew she had a dog she couldn't control and yet brought him to a place where she knew there would be other dogs, and most likely dogs off leash. She justified her own behavior by objectifying the guy with the dog off leash. She was probably thinking something like, I have a dog I can't control in my car and you have the nerve to have your dog off leash. She could not be the cause of her own problem. She had to blame someone else. So she started to see her universe in a crooked way. She has a right to go anywhere with her violent dog and if others would just do what they are supposed to do and keep their dogs on leashes, my dog won't hurt their dogs. She chose a heart at war because she needed to be right. She adopted a distorted perception of reality so that she could be right. Similarly, the guy with the dog off leash saw the lady who was yelling at him as an object—I want to keep my dog off leash and you are yelling at me—who do you think you are and why don't you mind your own business—you are a nosy obstacle. He actually had other choice words for the woman when I ran into him later. Instead of saying hey, I'm sorry, I'll put him right on the leash (which really is the law). If he had done that he would have been at peace. Instead he went into his justifications. He was probably thinking something like: I'm better than you, I don't need to follow the rules; you lady are inferior and wrong. You may be asking, well, this guy was minding his own business and was verbally attacked. What was he supposed to do. We always have choices—every moment of every day we can either choose a heart at war or choose to have a heart at peace. We can't control or change others, but we can always choose how we

act.

We can actually do the same action with a heart at war or at a heart at peace. If I yell at my daughter to get off facebook and do her homework, common refrain at my house—is my heart at war or at peace. I'm at war. I'm really annoyed. I'm angry. My justifications have kicked in: I'm older and smarter and she's young and stupid and may be jeopardizing her future. She's no longer a person to me, she's an object; I don't care about her concerns, I don't even know what her concerns are. I have not even attempted to get in her shoes. Maybe I'm right in theory but am I doing anything to invite her cooperation? On the contrary. all I am conveying is my disappointment in her. I am inviting her to war—and she'll either tune me completely out, which she often does or she'll start yelling back at me, which she often does. I will become an object to her—I am a nag and won't leave her alone. I have no faith in her. All she sees is that I'm against her. She is responding not to what I say but to my way of being toward her. Deep down, I know that she cares about her school work. I could convey the same sentiment with a heart at peace. I could calm down and start to think about her as a person, why she may be on facebook, why she may not be interested in her homework at this given time, whether she has any problems, whether she needs any help. If I thought about her as a person, I would approach her differently. Do you need any help? Is there something bothering you? What can I do? She may say no but at least I am creating a respectful space for her to thrive. And our relationship will be better. To the extent our relationship is more solid, the conflicts that do come up will be resolved more easily. Correction rarely works. Think of a pyramid and at the bottom of the pyramid is relationship building and at the small top is correcting. Work from the bottom up and the inside out.

Outward wars start with inward wars. And war and peace start in the human heart. Whether the heart is open or whether the heart is closed has global implications. To the extent we can approach others with hearts at peace, we bring a little more peace into the world, act by act, person by person. This takes a great deal of courage, to open our

hearts. It's a tough world out there.. Getting out of our justifying ways, creating a heart at peace, is a matter of practice, of self reflection and awareness, of mindfulness and giving ourselves space when we need it. Above all, it's a matter of always trying to stand in someone else's shoes—empathy has a way of softening the heart.

So there's one final point I'd like to make and that is, this type of practice only works if we ease up on ourselves. In an interview with a Westerner the Dali Lama said, and I'm paraphrasing, that the biggest challenge westerners have is that they are so hard on themselves, that this concept of shame that westerners have doesn't exist anywhere else the way it does with us. I know I'm broken, I know I have a long way to go. I know I make mistakes every day. I know I can do better every day. But I have learned from all of you and continue to learn from all of you, that if I keep trying and trying, understanding that it's hard work and understanding that I'll continue to falter, that it will ultimately amount to something; that I will continue to move in the direction of my values. namaste.