**Getting to Maybe? Negotiation and Conflict Resolution Strategies in Divisive Times**

**Abstract**

In this politically-charged and divisive climate, *getting to yes* (borrowing from the seminal negotiation book) or finding common ground may seem impossible. What about *getting to maybe*? Maybe we could set aside our biases to listen to and consider an opposing view? Maybe we could pause before we "unfriend" someone because of what they chose to post on social media? Drawing from negotiation and conflict resolution frameworks and strategies, we provide tools to help ourselves and our students to get to maybe--a place where we allow for the possibility of engaging instead of assuming that doing so is impossible.

**Introduction**

The classic book *Getting to Yes*,[[1]](#footnote-1) first published by Fisher and Ury in 1981, continues to be one of the best-selling business books of all time. One estimate suggested sales of 20,000 per week, and the latest (2011) edition currently is listed as #1 or #2 in three Amazon categories.[[2]](#footnote-2) Authors Fisher, Ury and Patton provide guidelines for negotiating principled agreements, in other words, using a process that helps parties resolve and clarify who gets/gives/does what while also maintaining their relationship. Absent bullying, manipulation, or other unethical approaches, the essence of this approach to negotiation is finding ways to discover common ground among seemingly insurmountable differences. Even though the techniques are for those trying to improve their negotiation skills, the message—recognizing the importance of the relationship and discover common ground between two seemingly disparate parties—is relevant in the current environment.

Since the run-up to the 2016 US Presidential election and currently, the American melting pot—where differences are respected and diverse people all get along (more or less)—has been on a high boil. This politically charged and divisive climate, marked by verbal and physical aggression toward outgroups, is highly conflictual. Friendships and families are being torn apart as entrenched views become even more entrenched[[3]](#footnote-3) and volatile. Since *getting to yes* (in a nod to the seminal negotiation book) or finding common ground may seem impossible in this climate, could we at least try *getting to maybe*? Maybe we could set aside our biases to listen to an opposing view? Maybe we could allow for the possibility that someone we (formerly) respect(ed) has a logical reason for their beliefs or behaviors? Maybe we could pause before we "unfriend" someone because of what they chose to post on social media? Maybe we could find a way to listen, consider, and then agree to disagree? Drawing from negotiation and conflict resolution frameworks and strategies, we provide tools to help ourselves and our students (of all levels) to *get to maybe*—a place where we allow for the possibility of engaging instead of assuming that doing so is impossible.

**Theoretical Foundation/Teaching Implications**

Using both negotiation and conflict theoretical frameworks, we will explore:

* *How biases form and become entrenched (e.g., cognitive dissonance theory)…and how to become aware of our and others’ biases.* Cognitive biases create resilient and sometimes impenetrable beliefs. Handicapped by confirmation bias, we look for information that supports our beliefs and “dismiss evidence of new or underappreciated threats.”[[4]](#footnote-4) We discuss the role that cognitive dissonance theory (Festinger) may play (via experiential exercises) in triggering a process in which students compare “new” information with existing information (“knowledge”), decide to either set it aside (“I’ll consider this …later”) or discount it completely (“if this were true, I would have known about it by now”).
* *The role our dominant approach to conflict (e.g., Thomas Kilmann conflict mode instrument[[5]](#footnote-5)) may play*. For example, it may explain why some avoid divisive conflict (e.g., unfriend or discontinue talking to the “other side”), while others seek understanding (e.g., reading or watching news from the “other side”), and how understanding and practicing other approaches can help unstick the entrenched. Much has been written about conflict resolution modes and strategies and we will highlight the theory briefly while demonstrating exercises that facilitate greater understanding of and facility in individuals’ non-dominant modes.
* *How tenets of principled negotiation (e.g., separate the people from the problem, focus on interests and not positions, insist on using object criteria) can be applied*…and help people attempt to find common ground. One reason the book is so successful is because of its fairly simple to understand (if hard to implement) principles. Some of these recall basic human decency and EQ behavior (e.g., show interest in others, listen without interrupting). Other principles important for negotiation, such as using objective criteria, are quite relevant in this setting. A big issue in this politically-charged, alternative-facts environment relates to the lack of confirmed sources, empirical data, and indisputable facts to support the various factions. We demonstrate how listening to a side and asking for and considering supporting evidence can be useful to *getting to maybe*.

These concepts are taught in most OB classes, and applied to the current environment (which has both faculty and students experiencing stressful moments with “opposing” friends and family) can provide a powerful and valuable learning experience. We not only present exercises or strategies, but we also engage the participants in sharing their own or suggesting modifications to exercises or strategies being discussed.

**Learning Objectives**

Participants will have an opportunity to:

* Reflect on their own biases and how that influences our behavior inside and outside the classroom in the current politically-charged environment
* Consider the application of three theoretical frameworks that may provide a valuable approach to recognize the origins of and move slightly beyond seemingly insurmountable conflict
* Discuss these theories and approaches and develop one’s own comfort and confidence to address these issues
* Utilize relevant approaches and strategies in the classroom to facilitate students’ understanding of and skills supporting resolving or at least not avoiding divisive conflicts in the current environment.

**Exercise Overview**

We will present the three concepts mentioned above…a brief review of the theory or framework, followed by skill-building exercises, designed to help faculty, and help faculty help their students. Finally, we engage participants in small group and large group discussion to modify and expand the set of strategies to help all us “get to maybe.”

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**Session Description**

***(we ask for 60 but 90 minutes may be more appropriate, as indicated by the range below)***

5 min) intro

30-45 min) Present brief review and exercise for each of the three frameworks

20-40 min) discussion and suggestions for additional exercises

5-10) wrap-up

**Unique Contribution**

We have not presented this work before. We have, however, found ourselves frustrated about the current level of divisiveness and conflict--amongst our friends and families, and those of our students. We've seen the unfriending, the excommunicating, and outright verbal and physical aggression that have been on the rise in the last 18 months. We need tools to bridge these divides, and as role models, it should start with us. We don't have all the answers, but we share some of our strategies and tactics, and invite participants to add, modify, combine in a supportive learning community we want to create.)

1. Roger Fisher, William Ury, and Bruce Patton, *Getting to Yes,* 2nd ed. (New York: Penguin Books, 1991). [↑](#footnote-ref-1)
2. https://www.amazon.com/Getting-Yes-Negotiating-Agreement-Without/dp/0143118757/ref=dp\_ob\_title\_bk [↑](#footnote-ref-2)
3. <https://innerself.com/content/personal/attitudes-transformed/behavior/14499-the-science-of-how-we-become-entrenched-in-our-views.html> [↑](#footnote-ref-3)
4. <http://www.newyorker.com/magazine/2017/02/27/why-facts-dont-change-our-minds> [↑](#footnote-ref-4)
5. Kenneth Thomas, “Conflict and Conflict Management.” In *Handbook of Industrial and Organizational Psychology* (Chicago: Rand McNally, 1976), pp. 889–935. [↑](#footnote-ref-5)