

Conflict Resolution in the Era of Political Polarization

Columbia Law School Mediation Clinic

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Welcome & Introductions

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Goals for the Day

- **Survey techniques to deal with polarization in the context of conflict resolution**
- **Examine the role of polarization in producing negotiator bias**
- **Discuss best practices for dilemmas that arise when negotiating in polarized situations**

Agenda

Introduction

- What Is Polarization?
- Transference

Tools for Conflict Resolution in Polarized Situations

- Ask the Right Questions
- Active Listening
- Amplification and Stroking
- Summarizing
- Facts, Interests, and Feelings

Conclusion

- Questions & Reflection
- Thanks
- *Ask for More*

An Era of Political Polarization

Do you believe we are a more polarized world now than we were ten years ago?

What is Group Polarization?

Polarization: Division into two sharply contrasting groups or sets of opinions or beliefs

Group Polarization: When members of a group move to a more extreme point in whatever direction is indicated by the group's pre-deliberation tendencies.

- People adopt attitudes and actions that are more extreme than the initial attitudes or actions of individual group members.

Group polarization can occur with many different topics.

Group Polarization

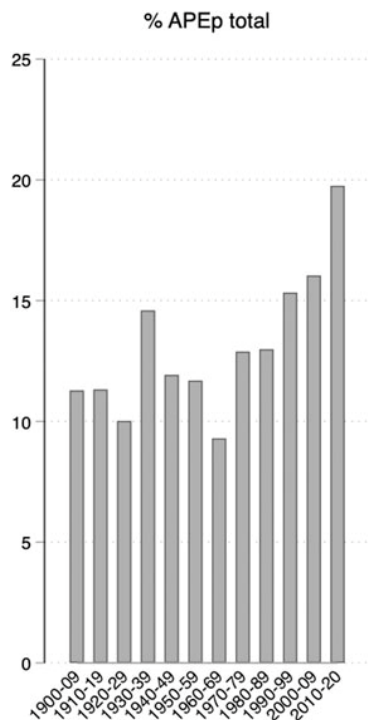
Why does it happen?

- Social Comparisons: People want to be perceived favorably by other group members
- Limited Argument Pools: Positions as a result of convincing arguments within the group

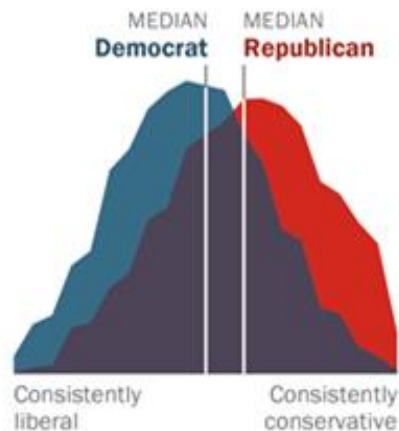
Why does it matter?

- When group polarization occurs, an opposing view can feel like an attack on your identity.

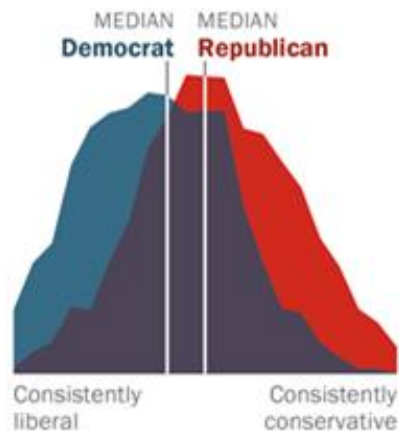
Examples of Polarization



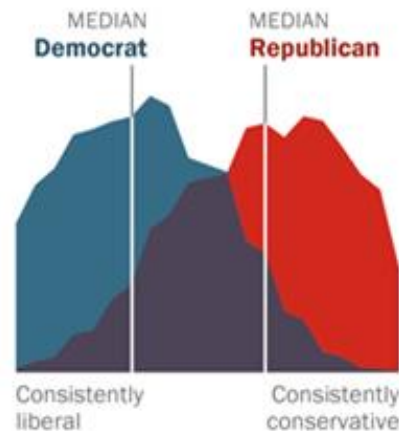
1994



2004



2014



Source: 2014 Political Polarization in the American Public

Notes: Ideological consistency based on a scale of 10 political values questions (see Appendix A). The blue area in this chart represents the ideological distribution of Democrats; the red area of Republicans. The overlap of these two distributions is shaded purple. Republicans include Republican-leaning independents; Democrats include Democratic-leaning independents (see Appendix B).

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Why Is Group Polarization Relevant to Conflict Resolution?

Recognizing group polarization trends can help:

- Increase negotiator self-awareness
- Identify and address potential biases
- Shape mediation decision points

Negotiators may *depolarize* through tools.

Let's Discuss

Have you ever felt like a colleague made assumptions about you based on your nationality, language, culture, or place of origin? Similarly, have you ever made assumptions about a colleague? If so, what were the assumptions?

Transference



- Transference is an “unconscious redirection of feelings from one person to another.”
- Based on *present perceptions of past experiences*
 - These responses are a reaction to factors that may or may not be related to the other party.
 - Responses can be prompted by the other person’s personality, style, demeanor, appearance, role, etc.

Transference

Transference approaches the issue of polarization from an **individualized** psychological perspective.

Theory of transference encourages us to be aware that our responses to another party may be an emotional reaction as opposed to legitimate ideological disagreement.

Question

Is polarization a positive or negative force in society?

BREAK



Tools for Conflict Resolution in Polarized Situations

Ask the Right Questions

Active Listening

Amplification and Stroking

Summarizing

Facts, Interests, and Feelings

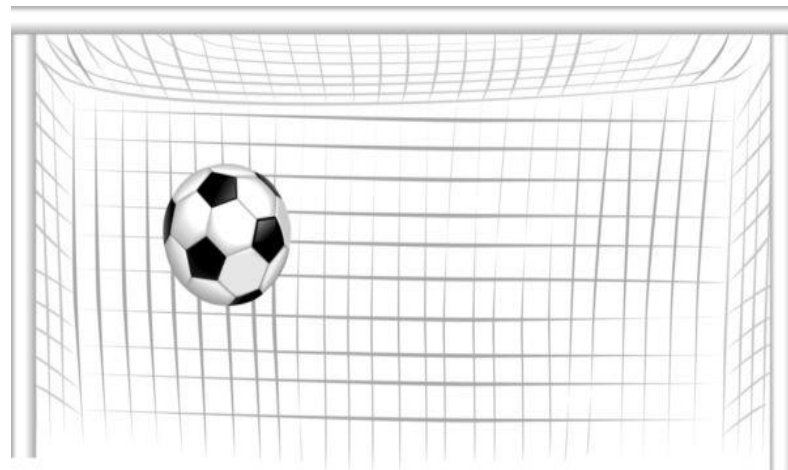
Asking the Right Questions

Effective Questioning → Effective Answers

- Questions are one of the strongest and most versatile tools for conflict resolution.
- Questions can vary by type (e.g., open v. closed).
- The act of questioning can provide both substantive (the answers) and procedural (creating trust and rapport, signaling willingness to communicate, fostering a feeling of being heard) benefits!

Purpose of Questions

- Clarifying
- Focusing
- Stimulating
- Building relationships
- Encouraging participation
- Exploring and evaluating alternatives
- Moving toward closure



Types of Questions

Open Questions	Closed Questions
Cannot be answered with yes or no	Limited response/point of view
Allows respondent to express point of view	Answers are either right or wrong
Can be time-consuming	Quick responses
Builds trust and allows unrestrained response	Can feel interrogating or threatening

When to Ask Open Questions

Usage	Example
To develop an open-ended conversation	<i>How did you approach this task?</i> <i>How do you remain focused on your work?</i>
To find out more about a person: their wants, needs, thoughts, and beliefs	<i>What motivated you to make that decision?</i> <i>Why is that so important to you?</i>

When to Ask Closed Questions

Usage	Example
Testing understanding (asking yes/no questions)	<i>So, you want to move into our apartment—right?</i>
For setting up a desired positive or negative frame of mind in them	<i>Are you happy with the current state of the Global Compact on Migration?</i> <i>Would you like to focus on the Gender-Related SDGs?</i>
Moving to action (seeking assent)	<i>If I can deliver this tomorrow, will you sign for it now?</i>

Ask Me Questions

Your task is to find out about my weekend.

Active Listening

Be Engaged!

- Ask good questions

Be positive!

- Withhold judgement

Be attentive!

- Paraphrase
- Reflect back

Put it into practice!

- Mix open ended and specific, probing questions
- SHORT verbal affirmations
- Show empathy
 - Relate to similar experiences
 - Relate to previously shared information

Amplification

- Validating important statements through repetition

- Use phrases like:
 - “Just now, Jessica’s point about . . . was really insightful because”
 - “You acknowledged that this is emotional for you because”
- Increases recognition and gives credit to important contributions
- Practiced by Obama White House staff

Stroking

- Praising a party for anything helpful or productive they have done such as patience, perseverance, respect, “bearing with the process”

- Use phrases like:
 - “I appreciate your efforts in . . .”
 - “Thank you for your patience regarding . . .”
- Increases participants’ sense of being recognized and appreciated

Summarizing

Repeating the **essence** of what the person said, focusing on the issues in the conflict and the person's interests and feelings

- Use phrases like:
 - “If I understand you correctly. . .”
 - “What I’m hearing from you is. . .”
- When summarizing two or more people, highlight any **common ground** they have

Reframing

Removing hurtful or escalating words but **keeping the force** of what the person said

Statement:

→ “How could you possibly support this referendum? You clearly don’t care about public safety at all.”

Reframe:

→ “I hear that public safety is really important to you, and you’re concerned about the effect this referendum will have.”

Facts, Feelings, and Interests

Identifying Facts, Feelings, and Interests

The three-part mechanism by which a party uncovers the important underlying or hidden issues and creates an environment where another party feels fully understood and thus eventually open to being influenced by the process.

Challenges

- It can be immensely difficult to engage in the careful listening required
- Balancing summarizing both facts and feelings

Tips

- Listen on *multiple* levels: substance, emotions, relationships, and motivations
- Remember the importance of validation in the summarizing process

Group Activity – Summarizing and Reframing

- There is a disagreement over land between the Foreign Ministers from Phoenicia and Fortunland.
- Phoenicia and Fortuland are neighboring countries. They share a border -- the Grand Border.
- Historically, the countries have not had a great relationship. There is extreme polarization between the two countries due to religious and cultural differences, and the people living in the disputed region share cultural and religious similarities with both nations.

BREAK



Hypo

The countries of North Genovia and South Genovia share a border. The countries have a longstanding history of conflict. Although once unified as one country, a coup d'état led to a prolonged period of political tension that ultimately ended in North Genovia breaking away. The countries disagree sharply on foreign affairs, economic, and social policies. Both countries' citizens feel extremely patriotic. Both countries are invested in developing renewable energy sources.

Hypo

North Genovia announces a plan to develop a large dam spanning both countries that will provide energy and clean water. They need the dam in this location for optimum energy and water efficiency. South Genovia is worried about the environmental impact but their people currently want reunification, so a joint venture might be popular.

You have been tasked with facilitating a discussion between North Genovian and South Genovian diplomats. What are your strategies?

Wrapping Up

Reflections

Thank You

Ask For More

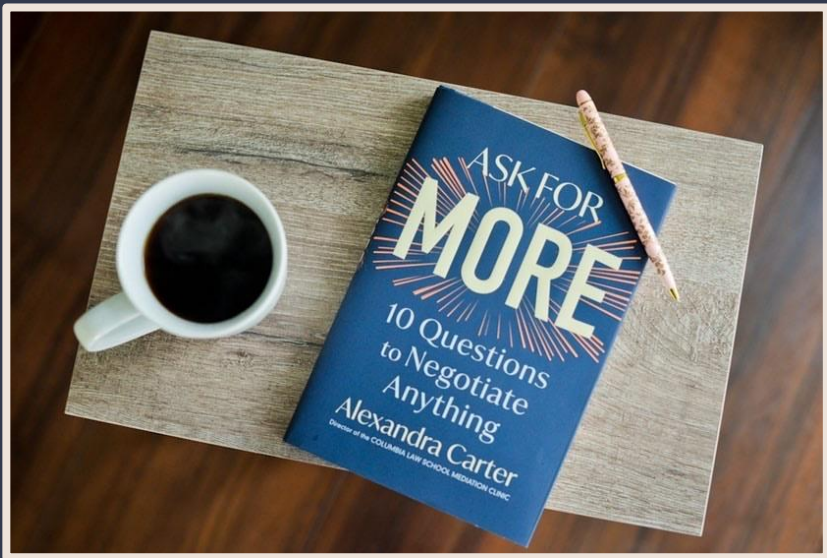
Reflections

- What questions do you have?
- What is one skill you are excited to use moving forward?
- What are some concerns you have?

Thank You!



Ask for More



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