

# The Next Frontier Is Anticipation: Thinking Ahead about Conflict to Help Clients Find Constructive Ways to Engage Issues in Advance

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Do major, sophisticated, well-funded companies, institutions and organizations often find themselves blindsided by conflicts they might have anticipated? We think so.

The Brent Spar fiasco is a high-profile example. By 1995, Shell UK had spent four years planning for the deliberate sinking of the Brent Spar, an obsolete, 20-year-old, billion-dollar oil rig. But the plans went haywire. Shell discovered to its horror that extensive internal analysis of the safest disposal method, the company's worldwide presence and influence, and even its government-approved disposal permits weren't enough to forestall a public debacle.

Greenpeace's opposition campaign, which included occupying the rig, found oil industry allies; European governments

objected to the disposal plan; Shell personnel and gas stations were attacked, and the company's profits suffered. The rig was eventually dismantled, with some of it scrapped on land, and some recycled in building new offshore installations. The resolution was protracted and costly—because the conflict was completely unanticipated.

With more than 10 years' perspective,



is there any reason to believe now that Shell was less responsible than lots of other companies whose failures in the same vein sim-

ply don't attract as much publicity? Is it, perhaps, predictable that major and generally well-respected firms and government agencies will frequently paint themselves into similar corners? Is there any real knowledge and skill base that could help firms and other organizations avoid this kind of public or private trauma?

In the introduction to a new book, two of the authors of this article—see accompanying sidebar below—outline how the intellectual basis of conflict resolution has expanded. In parallel, during the past 30 years, conflict management practice work has burgeoned.

One result of this thought and practice is that expertise in handling conflict, whether as negotiators, mediators, specialized advisers, or in other capacities, is now more widely available. Expertise is

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## PROPOSING MORE ANTICIPATION: THE AUTHORS OF 'THE NEXT FRONTIER'

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The authors are interested in promoting conflict anticipation work and are cooperating under the auspices of Convenor Conflict Management on a number of related initiatives. They also are contributors to "The Negotiator's Fieldbook" (American Bar Association 2006), edited by Schneider and Honeyman.


The Fieldbook features 80 contribu-

tors from nearly 30 academic disciplines and practice settings. The authors note that "it is a telling sign of the increasing cross-fertilization of this field that the ABA offered to publish a book in which lawyers are a minority of the contributors." The writings illustrate the range of expertise in conflict management now available, and how they can be integrated into new functions such as conflict anticipation.

For example, coauthor Mayer writes on the creative use of allies in a negotiation; Macfarlane analyzes the early signs of a potential paradigm shift among lawyers toward new models of client advocacy that promote conflict resolution rather than do-or-die hostilities; and Seul assesses the attitudes toward conflict that are explicit and implicit in each of the world's major religions. Schneider and Honeyman wrote or coauthored chapters on negotiators' aspirations and reputations, the surprising value of ambiguity, how agreements can be made to last, the uses of the arts in major conflict, mediators' skills (and their often unacknowledged policies and biases), and the use

and misuse of metaphors, among other subjects.

The structure of the 768-page Fieldbook, similarly, begins to indicate how different fields' expertise can be integrated into a more sophisticated conflict anticipation practice, as well as conflict-handling. The book provides integration tools including numerous chapters grappling with the consequences of coming from more than one discipline or practice field, editors' notes explaining each chapter's links to others that relate closely but may not be contiguous, and an "alternate" table of contents defining eight different kinds of readers and analyzing what's most immediately relevant for each of them. The emerging practice of conflict anticipation consulting is particularly dependent on this integrated approach, which the authors hope others will adopt along with them.

The Fieldbook received an honorable mention award in the 2006 Awards for Excellence in ADR awarded in January by the CPR Institute, which publishes this newsletter. 

## Thinking Ahead

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available for integrating different skills and specialized knowledge in resolving conflicts.

Yet almost all of this expertise is geared to situations where the toothpaste is already out of the tube. Major organizations routinely miss opportunities by failing to anticipate foreseeable conflicts. The resulting problems, regardless of whether they become publicly embarrassing like Brent Spar, too often become expensive and time-consuming to unravel later.

Conflict management isn't the first profession to move from an initial focus on the immediate and unmistakable toward greater attention to underlying causes. The authors believe that conflict management is now at an equivalent developmental stage to that once experienced by dentistry—when pulling teeth had become fairly efficient, and the leading dentists had developed workable false teeth and rudimentary fillings, but preventive dentistry wasn't yet a regular expectation.

Many organizations now provide negotiation or conflict management training, or training in creating systems for resolving routine disputes. But the sophistication of these efforts seldom extends to anticipating major disputes and creating an environment for their constructive engagement. Few conflict resolution practitioners have specialized in anticipating conflict in time to avert it, and in helping clients find constructive ways of engaging the issues in advance, rather than trying to manage them after the fact.

Meanwhile, organizations often fail to see the potential for constructively engaging in conflict as a means to promoting the organization's future. In other words, they overlook the possibility that actively engaging with the emerging conflict will not only provide a more workable and more durable outcome for the immediate issue, but provide useful lessons, as well as giving real effect to the often-stated commitment to be a "learning organization."

The authors believe that anticipating conflict in a sophisticated way can have a significant bottom-line effect. For this to happen, conflict anticipation as a skill set needs to be brought to the forefront of business practices. This is certainly not the

case at present. This article outlines the reasons why. It also discusses the work that has been done in the field, and what's missing. The article proposes a new type of consultant, a conflict anticipation specialist, and outlines the tasks such a specialist will perform.

### CAUTION: SIGNIFICANT FORCES

There are significant forces in play that often prevent a more thoughtful and prag-

**Managers often feel  
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matic approach to anticipating and preparing for conflict. These forces often lead otherwise smart people to let a problem fester, or impose a superficially adequate outcome which at first seems to avoid the problem, but really only delays it. This pattern occurs even when the results are counter to the real interests of almost everyone involved, and even when the fairly predictable result is that parts of the organization become dysfunctional.

There are a number of overlapping explanations for our frequent failure to stay ahead of conflict:

- Some of those involved are wary of admitting a conflict may be brewing (a circumstance that must be handled delicately by a practitioner who proposes to help.) Organizations, whether corporations, public sector departments, or non-governmental groups, tend toward myopia about conflict. They often either
  - do not anticipate conflict at all—the classic "rosy scenario" is prevalent in organizations' blithe assumption that nobody will surface opposing a proposal or initiative; or
  - have a general sense that some kind of conflict may ensue from a given initiative, but find it difficult to anticipate its scope or seriousness.
- A single powerful leader's strongly articulated viewpoint can so affect those around and under him or her that dissenting notions are suppressed, creating a "march to folly." The EuroDisney debacle is a classic example. When Disney planned to open its first European park, the ultimate decision maker early and openly trumpeted his enthusiasm for a location near Paris. Not surprisingly, there is no record of any "this-isn't-going-to-work" sentiment being expressed by anyone lower in the company. Even when an executive who renders an early opinion may have wanted to hear and evaluate the dissent fairly, it's not unusual for others to conclude otherwise, often because the organization has sent mixed signals in the past.
- Organizations often frame the prospect of conflict as a public relations or political problem, implicitly assuming the conflict can be sidetracked or suppressed. The underlying assumption seems to be that if opposition does appear, it will be demonstrably wrong on the merits, as well as poorly organized. This is the organizational equivalent to the thoroughly researched phenomenon of "optimistic overconfidence" in individuals, particularly the tendency to overestimate the individual's ability to control events in his or her favor. See Russell Korobkin, "Psychological Biases that Become Mediation Impediments Can Be Overcome with Interventions that Minimize Blockages," *24 Alternatives* 67 (April 2006).
- Managers and planners often overlook underlying structural problems, values, or interests that can generate conflict around actions or plans that appear straightforward or reasonable at first. Some of these deeper concerns—for example, globalization or climate change—give the impression they are "not our problem to fix," because they are difficult to address and seldom the

responsibility of any individual organization. But that does not mean that they will not have critical impact on a practical business decision.

- Managers often feel that looming opposition to a proposal or decision shouldn't be a problem, because it's just trivial, unreasonable, or invalid. While this reaction may sometimes be understandable, managers often proceed reflexively from "This shouldn't be a problem" to "So this isn't a problem." Entire organizations have found themselves in a collective snit as a result.

## SYSTEMIC CAUSES

In most cases, an explanation for overlooking or ignoring the emergence of conflict can be traced to one or more of these given reasons. But other explanations for a reluctance to anticipate conflict operate on a more general, systemic scale. Three in particular stand out, and may relate somewhat to each other.

The first is human nature: "Ignore it and maybe it will go away." That is a common organizational reaction to any unpleasant phenomenon. It works at least some of the time, so it can't be discounted entirely.

Another general explanation is that the growing application of "systems thinking" to organizational problems has not yet recognized "conflict systems" as a category. The most popular book on the subject, Peter M. Senge's "The Fifth Discipline," points out, however, one element in a conflict system—that the personal and career costs of allowing a conflict to fester may not actually be paid by the executive responsible for such a "decision by default." Papering over the cracks can work at least superficially and for a while. Given common job promotion rates of apparently successful managers, there's a good chance the chickens will come home to roost on the desk of the executive's *successor*.

The third systemic reason for failure to anticipate conflict is the most important, because it aids and abets the others. The array of talent customarily employed to handle conflict—including not only organizational insiders, but outside counsel, management consultants, risk management professionals and public relations and crisis

management firms, among others—includes many talented, vocal and persuasive people.

But while each of these specialties offers expertise in one aspect of the conflict challenge, in our experience not one of them is properly chartered to investigate, analyze, and help with the conflict (or a stream of conflicts) as a whole system. Even strategic planners, whose job descriptions are theoretically broad enough to include this function, generally don't take on its full implications, partly because they aren't often trained for it.

## ORGANIZATIONS IN STRESS

At root, the common failure to apply thorough analysis, integrated systems management, and the coordination of specialist skills to enable holistic conflict anticipation is due to stresses common in corporations and other organizations.

Typical of such stresses is the perceived risk that regular audits to identify and address impending conflicts, or a forthright approach to a conflict that may be awkward to handle, will reveal organizational weaknesses or deep fissures. To a decision maker who has little confidence that the core conflict *can* be constructively engaged, conflict avoidance seems "less risky" than genuine conflict engagement. This is not necessarily outright denial. It occurs in the relatively subtle form of a downplaying of risks, or an inaccurate framing of a potential problem. But even when the refusal to face the problem is a matter of emphasis or degree rather than a head-in-sand refusal to recognize reality, this can set the organization up for immense costs later on.

All of these circumstances, and their likely results, are predictable to an experienced conflict manager. An example of such predictability is the pattern of problems in corporate mergers. Combinations of companies large and small, as well as partnership mergers, often fail. The failures almost never appear to result from poor due diligence on the numbers. The expensive advisers surrounding the parties generally get that part of the equation right.

But the internal politics, overlapping hierarchies, disparate cultures, and key players' individual ambitions add up to an-

other matter entirely. These factors aren't easily reduced to spreadsheets and budget projections, and there often is real resistance to disclosing them. For both reasons, anticipating and preparing for these critical dimensions of a merger, or the equivalent in other organizational changes, tends to receive less attention than the hard technical or financial information.

The same kinds of problems occur in the public sector, with even more at stake. An example is Admiral Vernon Clark's salty account—as quoted by Bob Woodward in "State of Denial," p. 61—of the 1999 Situation Room meetings that led to the unexpectedly lengthy bombing of Serbia. That campaign caused resentments for which the United States continues to pay a price today, and foreshadow what are now widely seen as similar errors in the Iraq war. Clark was then operations director of the military's Joint Chiefs of Staff, affording him a bird's eye view of the proceedings but not much of a speaking role:

"It was all supposed to be over in 48 hours, and then in 72 hours," Clark said. Instead, it took 78 days of bombing to get Yugoslavia President Slobodan Milosevic to cave. "You needed a roomful of psychiatrists to counsel all the cabinet members to make sure none of them slit their wrists, because they had so grossly misrepresented what was going to happen. . . ." In Kosovo, Clark said, the optimism was so deep that there was a 72-hour strike plan—with nothing planned to follow it. "Zero," he said.

There are examples of this false optimism and lack of anticipation in every industry, every kind of government function, and in every age, back through the origins of both World Wars, Florence under the Medicis, and the Trojan War.

There is no evidence that the growing knowledge and skill set of the conflict management field has yet had much impact on the ability of managers to anticipate and forestall problems of this nature. In a nutshell, the integrative function of conflict anticipation remains to be developed out of the component parts that the field of conflict management field has developed over the past 30 years.

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## Thinking Ahead

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The occasional ray of light in this picture includes the small subset of strategic planners who have a strong conflict management background, and a willingness to use it. There are also some management consultants with the appropriate background and interests to assist with conflict anticipation, as well as certain diplomats and NGO experts who sometimes perform these functions in high-profile international problems. But in the U.S. and Canada at least, this task generally seems to fall to lawyers.

Lawyers' standard philosophical map provides at least an opening toward this concept, since it includes screening of deals and initiatives for possible trouble. But in a telling reflection of how lawyers are still predominantly trained, the scope of such reviews is still often defined in terms of legal problems only, though this may include financial or business ramifications, the likelihood of default, and similar concerns.

Lawyers are not often asked to zero in on human relationships problems, overlapping or even contradictory functions within an organization, the impact of particular leaders or managers on corporate culture, or any of the myriad reasons aside from the legal and financial issues that may cause a proposal, deal, or change effort to go wrong.

Existing conflict anticipation work, meanwhile, tends to be focused on more specific, routinized and less systemic issues, such as personnel issues, consumer complaints, or franchise disputes. Big business and other large organizations now often prefer to see such routine cases resolved in a private and consensual way, and may engage in a system design or planning process to achieve this. But these are not generally viewed as part of the business core; meanwhile, the more complex and systemic issues organizations face do not respond to routinized approaches.

There are also some conflict practitioners working at reducing conflict costs, and in team building and evaluation. But, in general, these still are scattered efforts, with little evidence of their successful integration into large organizations' planning and key operations.

## 'SLOW IN COMING'

Conflict anticipation has been slow in coming, but we think the time is now right for such a practice to emerge—for several reasons:

The inefficiency of information transfer between providers and scholars who work in widely separated parts of the field has long been a limiting factor to its growth. But that is now changing. In recent months, for instance, the potential business uses of the extraordinary insights developed by police hostage negotiators have started to be articulated. Similarly, the knowledge gained by people dealing with cross-cultural negotiations is gradually becoming more widely appreciated in business circles.

It takes time for the potential applications of a new set of knowledge and skills to filter through to those who must cope daily with other pressing organizational needs. And many potential clients—that is, upper-level business and other leaders—have not yet been approached with clear, concrete and decision-ready proposals for action in this area.

Finally, conflict anticipation work incurs fees and other costs, which must be allocated to a department or budget-line item. But unless and until the work is done—and maybe even then—it may be far from obvious which department or function would have been most adversely affected by *not* having the work performed, or which unit for other reasons is the most appropriate candidate to bear the costs. This too may change; as the new field begins to grow, corporate players are likely to realize that the department paying for such a service is likely to get more of a voice in provider selection, and perhaps an earlier heads-up as to any problems found.

It also is possible that conflict anticipation will need to be undertaken or at least endorsed from a high vantage point within an organization, such that costs should be structured as a central, shared cost for the entire organization.

## NEW DEVELOPMENTS, NEW POSSIBILITIES

At least one of the factors described above—deficiencies in information transfer between scholars and practitioners—

has begun to be addressed in recent years. One conspicuous effort is "The Negotiator's Fieldbook," which works toward integrating 80 kinds of expertise on negotiating, a core function in conflict management of virtually all kinds. [Two of this article's coauthors edited the book, and the others contributed; for full credits and details on how the book relates to the conflict anticipation practices proposed here, see the box on page 99.]

And as as we have suggested above, other negative elements in the "hindrance package" may now may be starting to dissipate too. With that, business leaders may be ready for a more sophisticated and integrated conflict management strategy—one that addresses the necessity of a *managed* approach to possible or inevitable conflict.

Still, business leaders have their own work to do. It's too much to expect them to become dedicated readers of books about managing conflict. But even if the client lacks the time to invest personally beyond a symbolic role in advocating a holistic approach to conflict anticipation, it should become easier to explain efficiently why findings from social and cognitive psychology, diplomacy, the arts, hostage negotiation, economics, law and many other fields can now be interrelated, and incorporated, to useful effect in the client's interest.

In formulating either the design of a consulting service or the specific goals of a consulting contract, it's important to note that a systematic approach to anticipating conflict is not about suppressing conflict. It's not even about planning exactly how to deal with it on any routinized level. Nor is an anticipatory approach focused merely on bringing in experts to do a "conflict inventory" and predict where an organization is likely to find problems.

Instead, it is about a management practice that implies working with key people at a variety of organizational levels to help them anticipate and prepare for their own work with significant conflict. It also implies staying with them as a resource as they do so. This is essential not only to prepare the organization for the conflict that is most immediately at hand, but to prepare the key people to develop their own ability to be adaptive for the future. This experience will enable the recognition of certain consistent elements of conflict, and of best practices in managing them effectively.



A work specification from a forward-thinking client is likely to frame the task partly in terms of preparing the corporation or other organization for the inevitable conflicts, as well as minimizing their disruptive effects, by creating the resources, capacities, knowledge base, and structures that can best handle the types of conflict that are most likely to arise. In other words, a core goal ought to be to help the organization as a whole become more adaptive to the opportunities, as well as the challenges, presented by conflict.

From this point of view, the work comes close to strategic planning. Another aspect is similar to the work of the risk manager. There are common themes here with traditional roles played by in-house counsel, and even more with the emerging literature of "preventive lawyering." On still another level, the work is close to both management consulting and training, for it requires helping clients to learn to handle conflicts in a cooperative and constructive spirit. Yet the work we are describing here is neither encompassed by nor the same as any of these existing roles, all of which will still be needed. The missing element, instead, involves coordinating these skills, and making sure their holders actually get to use them.

This approach places significant demands on clients. It may require clients to acknowledge that a technically brilliant plan is still deficient if it does not anticipate conflicts that commonly arise in the contexts of relationships and organizational culture. It may in some cases require a client to consider seriously an early approach to people or groups with whom conflict is likely to arise. Some clients may find it hard to make that approach in a genuine collaborative spirit—even while intellectually accepting that commencing a superficial public relations effort can become self-defeating, or that trying to manipulate a supposed "adversary" can easily become a self-fulfilling definition of the other party.

Yet this isn't really that radical. It's largely a matter of giving a new application to skills and tasks already familiar to many organizations. These include looking at patterns in similar businesses undergoing change or transitions; expanding staff members' imaginations in anticipating transitions of all kinds; building conflict resolution champions within the organiza-

tion; training people really well; strengthening internal consensus around goals and mission; and building monitoring systems. None of these functions, unpacked, is new.

## THE SPECIALIST'S ROLE

The conflict anticipation consultant's services should include convening the other experts—internal and external—in such a way as to foster a genuine team. The consultant can make sure that the team creates a systematic inventory of elements of a threatened conflict, or of a possible stream of conflict that has not yet surfaced. The consultant also would help design and mobilize internal units that can track and manage conflict.

The conflict anticipation specialist cannot, however, supplant lawyers or any other existing type of expert, nor is it likely that this represents a new form of inside manager. Indeed, many parts of the overall conflict anticipation function can best be performed by existing managers. Some can *only* be performed by insiders. The anticipation specialist works, however, to avoid the fragmentation and "silo" problems described above. The conflict anticipation specialist should also help managers and others face up to the challenges and opportunities of being the "bearer of bad tidings," a responsibility which experience shows often is seen as so crushing that it simply isn't performed.

The 2004 book "Beyond Neutrality," written by Bernard Mayer, one of this article's authors [see sidebar on page 99], suggests that the core knowledge base for the specialist's role includes understanding conflict dynamics, problem solving, communication, conflict's cultural aspects, power, process design, group dynamics and systems, and negotiation and mediation expertise. ["Beyond Neutrality" was a co-winner of the 2004 book award in CPR's Awards for Excellence in ADR.]

## CALL FOR 'EARLY ADOPTERS'

All of this work demands a certain maturity on the client's part as well as the provider's. But at every development stage, the conflict resolution field has needed a few such early adopters.

Conflict anticipation is at a develop-

mental stage where expertise exists, organizations are in a position to accommodate such practices, and there is a strong need. Yet today, a large organization addressing conflict in light of the principles described here would be considered an early adopter.

Unless, of course, the organization already has adopted something quite like it. The partnering model for anticipating conflict between contractors and suppliers (and owners, architects, engineers, officials . . .) on large construction projects has been used successfully by a number of corporations and government agencies. Another established model comes from collective bargaining; the labor-management cooperation consulting practice has been well known for decades.

Surely, there are less-publicized, company-specific practices in other domains that have recognized early on the extraordinary importance of getting a handle on their future conflicts, and which have embodied the habit of thinking beyond the most obvious, routine, or specialized conflicts. Seen this way, the "new" function of conflict anticipation is largely a matter of logical development from known models—again, not so radical after all.

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The consequences of the conflict resolution field not preparing and offering conflict anticipation services in the past are all around us. There's only so much a field still in its infancy can achieve, but the authors of this article believe evidence is accumulating that conflict resolution's infancy is over and that conflict anticipation is ready to happen. The time has come for a sophisticated and determined effort at the next frontier for the conflict resolution field.

The reader, however, may not agree, or may have a different perception of where the key problems lie. *Alternatives* subscribers' ranks are replete with people whose practical experience bears on questions of the usefulness, strategy and the service-ready status of conflict anticipation. We look forward to your comments and criticisms. Please send them, signed or anonymous, to [Alternatives@cpradr.org](mailto:Alternatives@cpradr.org) or [honeyman@convenor.com](mailto:honeyman@convenor.com)—and we will return to *Alternatives* to report them. ♣

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