

Conflict vs. dispute? Mediate.com submission July 21, 2011 (revised)

Conflict vs. Dispute?
By: Timothy D. Keator

Gauguin said that, “A compromise is the art of dividing a cake in such a way that everyone believes that he has got the biggest piece,” but what if someone wants the whole cake? What is the difference between dispute and conflict?

The human condition has shown that men and women are filled with intrapersonal and interpersonal conflict in their daily lives (Morris et al., 2004). In order to examine why conflict and disputes exist, it is necessary to define the difference between the often-interchangeable terms. According to John Burton (1990), a dispute is a short-term disagreement that can result in the disputants reaching some sort of resolution; it involves issues that are negotiable. Conflict, in contrast, is long-term with deeply rooted issues that are seen as “non-negotiable” (1990). So what is the difference, or at least how is it measured in terms that we can see on a daily basis?

The idea of “non-negotiable” originally stems from Maslow’s (1943) hierarchy of needs without which one cannot live and sustain life. The sustainability of life is something that can be measured in degrees, from food and water, to community and belongingness (1943). Something that is non-negotiable is set within the mind and the process of changing such thoughts is difficult, if not impossible. The distinction is that reason and communication do not always address the issues present within a conflict, but will generally work towards alleviating many disputes. The principal idea is that if left unchecked and unexplained, a dispute can easily turn into a conflict. But conflicts rarely revert to disputes without intervention (Burton. 1990). An example of negotiable versus non-negotiable distinctions can be found in common purchases that often require negotiation such as a car or home. In these situations, the parties can be seen

as in dispute about the price of the item; however, they can come to an overall understanding of a compromised position. Other such disputes could be over a person's estate after the passing of a family member. Siblings or other relatives may take an entrenched position on a particular issue and "dig in their heels." In these scenarios the parties involved, while argumentative and adamant about their particular position, can eventually come to a resolution. However, when multiple disputes and arguments are left to fester the result can often lead to conflict (1990).

Within the nature of a conflict, as indicated by Burton (1990), each side is fundamentally opposed to the success of the other and will not compromise their own values at the risk of allowing those they despise to achieve even the slightest victory. A prime example of such a conflict is the control of the Dome of The Rock in Jerusalem. One side believes it to be the sacred place of Abraham and the Jewish people whereas the opposing side contests that it is the place where Mohamed ascended into the heavens and therefore is a holy and sacred Islamic place. Moreover, the understanding that both scenarios and traditions do not have to be mutually exclusive adds further contempt. Since the rock is now in the control of the Muslim people they are reluctant to give control back to the Jewish people because the Jewish people would not allow the Muslims to worship the way they believe is their right. Thus the same obstinacy holds true now that the Muslims maintain control. If one were to examine this specific conflict, it is easy to see how there can be such a distinction between conflict and dispute.

Many different areas of study have been focused on the nature of conflict and dispute (Malley-Morrison & Castanheira, 2009). However, due to the constant interchanging of the terms, many of the studies have substituted conflict for dispute and dispute for conflict. When discussing mediation, researchers often are able to extract meaning from both sides in order to validate a particular point of view. To this end, a mediator should understand that the dissection

of conflict styles can help assist in mediated practices, but that dispute resolution techniques may be too pedestrian for major conflicts. Proficiency in both fields will help hone a mediator's skills and ultimately produce higher rates of settlement.

Understanding the "Other"

"When we change the way we communicate, we change society" (Shirky, 2008, p. 17). This idea is the foundation of a postmodern and poststructuralist approach to the way people interact today. While people are fighting diligently to hold on to the changes that have been made, they must also recognize that the changing environment is precisely the reason for the perpetuation of future interactions. Mediation and other forms of ADR hold a particular interest within this realm (Kovach, 2004). The current atmosphere leads society to think and act in a global understanding, but it is here where direction must be altered in order to perfect progress with respect to social interaction.

Interpersonal group dynamics can be a contributing factor throughout one's daily life, and, if it remains solid, it can add to the progression of a changing world. "Group action gives human society its particular character, and anything that changes the way groups get things done will affect society as a whole" (2008, p. 25). These developmental changes among various groups help increase the clarity of those locked in dispute and conflict. Once deeper insight of a situation is achieved, the process of healing can begin.

Discussion

Understanding the process of mediation is just one way to help resolve disputes; however, an enhanced understanding of how to avoid disputes from becoming conflicts proves to be a highly beneficial tool. Currently, conflicts around the world continue to rage from long forgotten or distorted ideas that manage to survive off of the energy that is produced by hatred

and stubbornness. Such conflicts are too ingrained in the consciousness of the people to be rectified with simple mediation practices; however, as mediators it is imperative to avoid, whenever possible, further escalation that could one day result in deep seeded hatred. Often a person only has to look as far as his/her own family to see how small disagreements and diminutive idiosyncrasies turn into years of silence and conflict. What can be done to impede disputes from escalating into conflict? From my perspective there is only one way to squelch a budding conflict, or an overblown dispute – knowledge gained through dialogue. In times of dispute we must all try to remember our Socrates, “The only good is knowledge and the only evil is ignorance.”

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