

# Conflict Assessment

As indicated in Chapter 1, environmental policy problems are complex and specific to their social, political, and environmental contexts. Meadowcroft (2004) suggests that environmental policy problems can be distinguished by their degree of complexity and by the intensity of the associated conflict. As a conflict management professional, you need the ability to assess both the complexity and intensity of an environmental conflict. In this chapter, we will explore different approaches to **conflict assessment**. It is up to you to decide on an assessment approach that will help you to design a process that helps the parties move forward in a positive way. In their classic book, *Working Through Environmental Conflict*, Daniels and Walker (2001) remind us that successful approaches to environmental conflicts “need to be appropriate for, and responsive to, the complex, diverse, and systemic nature of those situations” (p. 154). To determine what type of approach is appropriate, the first step is to conduct an assessment of the conflict. The issues, key players, and potential for collaboration must be considered in light of the political climate and available science. This process is called a *conflict assessment* or sometimes referred to as an **issue assessment**. It is a tool for generating knowledge about key players in a dispute. This knowledge should help you understand their intentions, interrelations and interests, and it should help you determine the influence and resources each player brings to a decision-making or implementation process (Dukes, Firehock, Leahy, & Anderson, 2001; Grimble, Chan, Aglionby, & Quan, 1995; Ramirez, 1999; Reed, 2008; Varasokszky & Brugha, 2000). This information-gathering exercise should produce recommendations regarding who has a stake in a conflict or proposed collaborative effort. Susskind and Thomas-Larmer (1999) note that an effective assessment should go beyond identifying key players; it also should help you discover potential areas of agreement and disagreement, categorize central and peripheral issues, and decide whether (and how) it makes sense to proceed.

Reed et al. (2009) state that a conflict assessment

i) defines aspects of a social and natural phenomenon affected by a decision or action; ii) identifies individuals, groups, and organizations who are affected by or can affect those parts of the phenomenon (this may include non-human and non-living entities and future generations); and iii) prioritize these individuals and groups for involvement in the decision-making process. (p. 1933)

It also helps to identify political roadblocks, develop strategies for achieving objectives, and find paths to collective agreement (Weible, 2006). Conducting a conflict assessment is essential to understanding the dynamics of the situation. If an assessment is not conducted, the convener runs the risk of leaving out a key player, missing essential elements of the situation, and wasting everyone's time by proceeding when agreement is not likely given the nature and dynamics of the issue.

## Assessment Process

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### Who Conducts an Assessment?

The conflict assessment should be conducted by a neutral third party. A neutral third party does not have a stake in the outcome, is knowledgeable about environmental issues, and has good interviewing skills. Typically, this person is a **mediator** or **facilitator** who has been trained in communication and collaborative processes. Because the person who conducts the assessment may or may not be a mediator/facilitator, for clarity we will use the word **assessor** throughout this chapter to refer to the person who takes on this role. Having a neutral professional conduct the assessment allows those being interviewed to speak candidly about the issue without worrying about social or political repercussions. The assessor is required to keep confidential any issues or concerns requested by the interviewee. Confidentiality is necessary for those interviewed to feel comfortable and to develop trust in the assessor. The more comfortable an interviewee feels, the more honest the responses, and the better the interview will be. The conflict assessment can be conducted by an individual or team. A single interviewer can provide a more unified approach, but a team can compensate for biases and provide additional perspective (Varasokszky & Brugha, 2000). Whether the analysis is conducted by a single assessor or a team of assessors is determined by the available resources including money, personnel, and time. The nature of some conflicts also may influence the decision regarding whether a single person or a team should conduct the assessment. It is important to note that although the convener pays for the conflict assessment, that is not the same as paying for a specific outcome. For example, although the convener may want to approach the conflict in a collaborative way, the assessor may discover that collaboration is not appropriate. The assessment should be an independent analysis of the situation. This independence must be understood by the convener, the person or team conducting the assessment, and everyone who is interviewed.

### Conducting an Assessment

1. Conduct background research
2. Identify key stakeholders
3. Develop an interview instrument
4. Contact and schedule stakeholder interviews
5. Conduct interviews
6. Synthesize findings and perform analysis
7. Assess feasibility
8. Write conflict assessment report

### Assessment Process

A conflict assessment will vary in scope and organization depending on the issue, goals, and eventual use. However, most assessment processes contain the following steps:

1. **Conduct background research.** To understand an environmental conflict situation, the first step is to gather all documents related to the environmental situation, such as relevant news articles, press releases, published and unpublished documents, technical reports, meeting minutes, and the like. Reviewing these sources will help the assessor understand the scope of the conflict and will provide an initial sense of the issues, beyond the understanding that was shared by the convenor. It can also help guide the development of questions related to the issue.

2. **Identify key stakeholders.** The second step is to identify those who have an interest in the issue. Given the complex nature of environmental conflict, there are many public and private interests with a stake in any issue. These parties, or key players, are called **stakeholders**. The term stakeholder was first recorded in 1708 as a person who holds a stake in a bet (Stanghellini, 2010). Within environmental conflict, a stakeholder is usually defined as anyone who holds an interest in something, who is affected by policy decisions, and who has the power to influence their outcome (Dietz & Stern, 2008; Freeman, 1984). In relation to environmental policy, stakeholders could be any natural resource users or managers. Stakeholders can include local, state, and/or federal government officials from multiple agencies (e.g., the Bureau of Land Management, the Forest Service, or Utah Fish and Game) or branches of government (e.g., Congress and Department of the Interior). In international disputes, conflicts can arise between governments of different countries. Stakeholders can also include a number of public interests, such as advocacy, interest or community groups, nongovernmental organizations, researchers and

scientists, technical consultants, and private interests, such as industry, commercial and other business entities, and the general public.

In the context of environmental policy decision making, it is useful to make distinctions among various stakeholders. Classification of stakeholders is a useful step in conducting an effective assessment (Stanghellini, 2010). DeLopez (2001) divides stakeholders into four categories: *key players*, those who take an active role; *context settings*, those who are highly influential but do not have interest or time to take an active role; *subject*, those who have high interest but low influence; and *crowd*, those who have little interest or influence. Mitchell, Agle, and Wood (1997) classify stakeholders in terms of urgency (of their claim), legitimacy (of their relationship), and power or influence. Using these three attributes, they identify latent (low salience), expectant (two of these attributes), or definitive (all three attributes). For example, in a conflict about running a highway through a neighborhood in the United States, stakeholders whose homes are scheduled to be demolished for the road may have the most urgent claim. Their claim may also have high legitimacy because under U.S. law, private dwellings enjoy more legal protections than a city park, or even a small business. If one of the buildings scheduled for demolition is home to a stakeholder who has served on the town council for the past 10 years, that person's power and influence may become relevant. According to Mitchell et al. (1997), our politically active stakeholder would be considered definitive and a crucial participant in any collaborative process.

Building on the ideas of influence and salience we suggest using the Overseas Development Administration (ODA, 1995) approach to categorizing stakeholders as primary, secondary, and peripheral. We define **primary stakeholders** as major players in the conflict who have direct influence on the decision-making process. Primary stakeholders can be direct, where parties interact and negotiate for themselves or for an organization, or indirect, where parties use a conflict agent (attorney, advocate, etc.) to negotiate on their behalf but retain decision-making authority. **Secondary stakeholders** are those who have vested interest in, or may be affected by, the outcome but are not necessarily involved in the collaborative process. Their interests are either already represented or beyond the scope of the policy decision. Finally, **peripheral stakeholders** are aware of the conflict but are not as likely to be directly affected by the outcome (Vella, Bowen, & Frankic, 2009).

The Edwards Aquifer Habitat Conservation Plan (HCP) that we have discussed throughout the text included all three levels of stakeholders. Primary stakeholders in this conflict included the U.S. Fish and Wildlife Service (a national-level agency that is responsible for implementing recovery plans for endangered species), the Sierra Club (an environmental organization that filed a lawsuit that served as the legal catalyst for mandating that the state of Texas implement management strategies for the aquifer that would protect the endangered species inhabiting it), and the Edwards Aquifer Authority (this state-level organization that is responsible for managing the aquifer). Secondary stakeholders included several communities that rely directly or indirectly on the aquifer for various reasons, such as its contributions to outdoor recreation or real estate development. Peripheral stakeholders include any residents of the region surrounding the Edwards Aquifer.

The convener of a process should have an initial idea of who the primary stakeholders are and can provide the mediator with a preliminary list. Secondary stakeholders are not typically interviewed unless a particular aspect of the issue has not been identified through interviews with the primary stakeholders. Additional primary stakeholders may emerge as the process continues.

3. **Develop interview instrument.** The assessment process includes interviews with stakeholders to determine their perceptions of the problem and the possibility of moving forward with a collaborative process (Carpenter, 1999). After you identify the key stakeholders, the next step is to prepare an interview protocol or list of questions to be asked of each stakeholder. The sample list below is based on suggestions by Susskind and Thomas-Larmer (1999). Note that each question is more open-ended than closed. This should allow the assessor to follow the guidance of those being interviewed when deciding where to focus the discussion. Assessors need to remember that they are learning from their interviewees and should not approach the process with too narrowly defined objectives (Varasokszky & Brugha, 2000). An assessor's list of questions might include the following:

1. What is the history of the conflict?
2. What is your role in the conflict?
3. What issues relating to this situation are important to you?
4. What other organizations or individuals have a stake in this issue?
5. What are the interests and concerns of those individuals or organizations as you understand them?
6. What is your history with the other stakeholders?
7. Have you taken any measures to address the situation?
8. Would you be willing to engage in a consensus-building process to address these issues with all interested stakeholders?
9. What is your status within your organization?
10. What additional information is needed to better understand the issue?
11. Do you have any concerns about coming to the table in a collaborative effort?
12. Do you have any logistical constraints to participating in a collaborative process?

As an assessor, you should start with these relatively generic questions, and then allow your interviewees to direct how you make the questions specific to the situation. Assessment questions should focus on understanding the substantive issues involved, the political and historical context surrounding the conflict, the perspective of the stakeholder, and their willingness to negotiate.

4. **Contact and schedule stakeholder interviews.** The next step in the assessment process is to contact the initial list of stakeholders and schedule interviews. The assessor should work with the convener to draft an introduction letter/e-mail to potential interviewees. This letter introduces the issue, introduces the process, promises confidentiality, and requests their participation in an initial interview. It is also appropriate to include a list of the general questions to be asked so the stakeholder can feel confident and prepare for the interview. After the initial letter/e-mail, the assessor then calls each stakeholder to schedule an interview. Interviews should be no longer than 30 minutes and should be conducted as soon as possible, preferably within a week after they are scheduled. Gaining access depends on how the approach is made; if stakeholders believe that their perspectives are valued and that their comments will be kept confidential they are more likely to participate. If participants are reluctant to speak with the assessor, it is a good idea to help them understand the purpose of the assessment, the independent role of the assessor, and the basics of a collaborative process so they feel more comfortable. An assessor could also point out the benefits of having their voices heard and participating in a decision-making process. If some stakeholders refuse to participate in the assessment, it is essential that the assessor accepts their refusal in a respectful manner.

### Sample letter/e-mail invitation

Dear Casey Taylor,

Morgan Valley City District is interested in understanding issues surrounding the potential expansion of a parkway along Coal Creek to protect existing development from flooding and soil erosion, connect existing park and trail facilities, and provide access to natural resources along the stream in Cedar Canyon. Because it is important to the city to work directly with interested stakeholders such as yourself, we have hired Clarke Collaborative Consulting to conduct a series of confidential interviews with all affected stakeholders.

We invite you to participate in a confidential interview regarding this potential project. The purposes of stakeholder interviews will be to identify relevant stakeholders and their concerns, highlight points of agreement and disagreement, and assess the willingness of stakeholders to participate in a consensus-building process. We are hopeful that this is a first step to jointly addressing the above issue.

If you agree to an interview we will be sensitive to your busy schedule and keep the interview to 30 minutes or less. Clarke Collaborative Consulting will be contacting you shortly to arrange a meeting time.

Thank you in advance for your consideration,

Eric Winslow

Community Development Director

Morgan Valley City District

5. **Conduct interviews.** Interviews with stakeholders should be conducted in person and located at a place that is convenient for them. Interviews often take place in the stakeholder's office or a neutral place such as a coffee shop or community library. In-person interviews help to build rapport between the assessor and the stakeholder. They can also provide the assessor with nonverbal cues to supplement understanding of what is said. If the interviews cannot be conducted in person, they may be conducted by telephone, but many nonverbal cues will be lost. A third approach is to solicit e-mail responses, where still more non-verbal cues are lost. Still, the reality of some environmental conflicts may necessitate acceptance of e-mail responses from some stakeholders. Whatever media are used, the assessor should strive to obtain answers to all questions from each stakeholder.

Interviews can be conducted by an individual or a two person team (Hjortso, Christensen, & Tarp, 2005). The advantage of a team is that one person asks the questions, while the other takes notes. This frees the person asking questions to focus on the answers given by the stakeholder and to craft appropriate follow-up questions.

While some practitioners believe audio recording the interviews is inappropriate because it does not allow the interviewee to speak candidly (Varasokszky & Brugha, 2000), we have found that the advantages of recording an interview outweigh the disadvantages. The comfort level of the stakeholder depends on a number of factors, many of which can be controlled by the interviewer. Recording an interview frees the assessors to focus on what is being said. It also allows them to go back to parts of the conversation and listen again for important information. Note that it is not appropriate to record without the permission of the interviewee. All stakeholders must give permission for being recorded. If the interviews are not recorded then the person taking notes should capture main ideas and specific important quotes.

When asking questions, it is important to adhere to the protocol and ask each interviewee the same set of questions. It is appropriate to ask follow-up questions based on their responses and the interviewer should always provide them an opportunity to add any further comments. The interviewer should strike a good balance between standardization of the interviews and allowing the interviewee to guide the discussion, candidly expressing his or her thoughts about an issue (Susskind & Thomas-Larmer, 1999). At the end of the interview, the assessor should ask each stakeholder for names of others who should be interviewed (Luyet, Schlaepfer, Parlange, & Buttler, 2012). This is called *snowball sampling* (Singleton & Straits, 1999). To guard against sample bias, the assessor should specifically ask for the names of those who hold opposing viewpoints. This process of eliciting, comparing and contrasting different perceptions, and asking for nominations is repeated until no new information or categories are forthcoming is described as reaching saturation of data (Ravnborg & Westermann, 2000). It enables the assessor to determine when he or she has achieved sufficient understanding of the issue to move forward to the next step.

6. **Synthesize findings and perform analysis.** Once the appropriate stakeholders have been interviewed, the information gathered must be analyzed. Issues must be better defined, stakeholders and their relationships with each other must be

categorized, areas of agreement and disagreement must be mapped, and the feasibility of moving forward with a collaborative process must be assessed. Several different frameworks may be used for this step. In this chapter, we build primarily on Daniels and Walker's (2001) **progress triangle**, incorporating approaches drawn from others and our own experience, to outline an approach to analyzing the results of your assessment research. Daniels and Walker's (2001) progress triangle organizes the basic dimensions of all environmental conflicts: substance, relational, and procedural, and highlights the important relationships between these dimensions.

This visual representation identifies three basic dimensions of all environmental conflicts and highlights the relationships between these dimensions. The substance dimension refers to the tangible and symbolic issues, sources of tension, complexity, information needs, meanings and interpretations, and opportunities for mutual gain. The relational dimension focuses on the stakeholders, their relational histories, incentives, positions, and interests; level of trust; sources of power; knowledge and skill; and their status. Finally, the procedural dimension focuses on the logistics of a process. It answers questions about decision space, resources (e.g., time & money), jurisdiction, timing, procedural history, procedural alternatives, and procedural preferences (Walker, Daniels, & Emborg, 2008).

### *Substance Issue Identification*

The first step is to define and break apart the primary issue and secondary issues. This definition includes a report of the history, complexity, scope, and magnitude of the conflict (Dukes et al., 2001; Susskind & Thomas-Larmer, 1999). It also includes distinguishing between issues that are tangible, such as fish passage through a dam, and those that are primarily symbolic such as the cultural significance of fish to a Native American tribe. Questions to guide this portion of the analysis might include the following:

1. What are the issues important to this situation? Are they complex? Technical?
2. Do the issues vary among the parties?
3. Which of these issues are tangible and which are primarily symbolic?
4. What are the likely sources of tension over these issues (facts, values, interests, jurisdiction, person/parties, history, and culture)?
5. Are there differences in how the major parties understand the situation, define the issues, and prioritize the issues?
6. What are the parties' interests and concerns about these issues?
7. What policies or actions have been tried in the past to deal with this situation?
8. What are the key information needs (e.g., data) or information gaps that should be addressed as part of the process?



9. Is information accessible and understandable?
10. Is the issue sufficient to warrant a collaborative effort?

Once these questions are considered, the assessor will have a better understanding of the substance of the conflict. Describing the issues and their complexity is not enough, however. The issues and their relation to each other must then be mapped so as to further understand the dynamics and opportunities for solutions. *Cognitive maps* are representations of the network of concepts people use to form arguments or to make sense of a situation. Individual maps can be synthesized and merged to show clusters of related concepts or areas of agreement or disagreement. These areas of agreement or disagreement must be charted, overlapping or divergent interests must be documented, and opportunities for mutual gain must be noted (Hjortso et al., 2005; Susskind & Thomas-Larmer, 1999; Varasokszky & Brugha, 2000).

### *Relational-Stakeholder Analysis*

The next step entails better understanding and analyzing the stakeholders. Stakeholders must be categorized, and their relationship to each other and the convener must be evaluated. Questions that guide the categorization of stakeholders as suggested by Daniels and Walker (2001) and Dietz and Stern (2008) might include the following:

1. Who are the primary stakeholders and/or their spokespersons?
2. What are the values, interests, and cultural views of each stakeholder?
3. What are the positions and interests of each stakeholder?
4. Are there fundamental values at stake for any of the stakeholders?
5. Also are there issues of face and respect that need to be taken into account?
6. Do any parties have unique status (e.g., Indian tribes)?
7. To what degree can stakeholders act for the organizations they represent?
8. Do relevant decision-making authorities support the effort?
9. Is appropriate representation available for all interests and issues?
10. Who are the secondary stakeholders? Do they bring additional concerns?
11. Who are the peripheral stakeholders?
12. What does the scale of the issue imply for the range of affected stakeholders?

Stakeholders can be divided according to their position related to each identified issue. To fully understand the interests of each stakeholder, the assessor should move beyond basic categorization to explore how the issues impact stakeholders' sense of self or identity (Clarke, 2008; Rothman, 1997). Challenges to a stakeholder's identity

can impede the collaborative process from moving forward. For example, in a conflict surrounding the storing of nuclear waste on their reservation, the Goshute Native American tribe was deeply offended by the efforts of local government officials to stop the process and considered their actions a direct insult to tribal culture and identity. This led to the tribe's refusal to engage in a collaborative process with local leaders and agency members (Clarke, 2002).

The next step is to analyze the relationship among the stakeholders. Their differences in ability, worldviews, and interests as well as their history must be taken into account (Dietz & Stern, 2008). Questions to ask include the following:

1. What are the historic relationships among the primary stakeholders?
2. Have stakeholders worked together in the past? Have there been coalitions formed?
3. What are the significant differences in values, interests, cultural views, and perspectives among the parties? And how does this affect their relationship?

Social network theory seeks to understand actor's behaviors by analyzing the types of relationships they experience and the structure of those relationships (Reed et al., 2009; Rowley, 1997). This matters to an assessor because it helps in understanding the interdependent nature of stakeholders and the web of relationships within which they are embedded (Susskind & Cruikshank, 1987). The history of cooperation or competition (Freeman, 1984; Savage, Nix, Whitehead, & Blair, 1991) among stakeholders can also shed light on the potential success of a collaborative process.

A collaborative process offers the ability to build trust over time but understanding the level of trust at the onset of a process is critical. Trust also includes the belief that stakeholders will negotiate in good faith. Questions to ask might include the following:

1. What is the degree of trust among the stakeholders? How might it be improved?
2. Is there trust that the convening organization will proceed in good faith?
3. Are the scientists viewed as partisan or objective?
4. Are there indications that some participants are likely to proceed insincerely or to breach the rules of the process?

Trust is important when considering if a situation is appropriate for a collaborative process. A successful negotiation requires that parties hold, or be able to achieve, a minimal level of trust among themselves (Dietz & Stern, 2008; O'Leary, Durant, Fiorino, & Weiland, 1999). Government agencies or other organizations with low trust are unlikely to have the level of confidence among participants that is required for a collaborative process to have success (Carlson, 1999).

In addition to trust, power or power differences among stakeholders directly influence their ability to negotiate and the potential for agreement among participants. We follow Boulding (1989) in defining *power* as the ability to get what you want or to influence a decision or decision-making process. It can come in many forms such as personal credibility and reputation, political clout, funding, access, education, communication style, culture, and so on (Dukes et al., 2001). The advocacy coalition framework assumes that the most useful unit of analysis for conducting a stakeholder analysis is the policy subsystem and focuses on access or ability to mobilize resources such as social capital, public opinion, access to information, and the like (Weible, 2006). Drawing from the advocacy coalition framework, the following questions related to power could be asked in relation to all stakeholders in a process:

1. What power resources do the primary stakeholders have?
2. Do parties have the power, resources, and capacity to work through the conflict collaboratively? Can capacity be improved?
3. Are there substantial disparities across participant groups in their power to influence the process?
4. Are there disparities in the attributes of individual stakeholders that may affect their level of influence or power? For instance, levels of education, social capital, financial, technical, or other resources that may influence participation?

Power can also manifest itself as knowledge of an issue or process. Knowledge mapping involves identifying areas of power and those relations which would work well together.

Whichever approach to power the assessor emphasizes, it is important to learn as much as possible about the power differentials between stakeholders. If the power differential is too high it will negatively impact certain stakeholders and skew the negotiations. Further, those who don't feel they have enough power or influence through a process may seek to increase their power through other strategies, such as community organizing, media outreach, referendums and initiatives, lobbying, and litigation (Elias, 2012; O'Leary et al., 1999).

Finally, stakeholders' willingness to participate in a collaborative process must be considered. If one or more primary stakeholder is not willing to come to the table, the collaboration will be negatively impacted, if not completely impeded from moving forward. Understanding their incentives to participate becomes important, because it may enable the mediator to persuade a reluctant stakeholder that their needs could be better met through a collaborative process. The following questions could help an assessor learn about stakeholder interest in collaboration:

1. Are stakeholders willing to collaborate? To what extent? Can those opposed to collaboration be persuaded to try?

2. What are the primary stakeholders' alternatives to collaboration?
3. Are there any stakeholders who have an incentive to be conflictual, or to impede progress?

Conflict professionals agree that required conditions for a collaborative process include a strong desire to solve the dispute and the willingness to enter into formal agreement should settlement be reached (Susskind & Secunda, 1998).

### *Procedure-Logistical Consideration*

After you have identified the issues and analyzed the stakeholders and their relationships to each other, the next step is to consider the logistics or procedural dimensions of a collaborative process. Understanding the logistical details of a potential process is necessary and critical as the procedural dimension answers questions about decision space, resources (e.g., time & money), jurisdiction, timing, procedural history, procedural alternatives, and procedural preferences (Carlson, 1999; Carpenter, 1999; Dukes et al., 2001; Susskind & Thomas-Larmer, 1999). To assess the procedural feasibility, the following questions should be considered:

1. At what stage is the conflict? Does the situation seem ripe for constructive action?
2. Is there appropriate legal protection (laws and regulations) to compel fair negotiations?
3. Is a collaborative process mandated?
4. Are there drivers (incentives) for all stakeholders that can provide sufficient leverage to compel fair negotiations?
5. If not collaboration, what are the alternative methods or venues the primary stakeholders may use to pursue their goals (e.g., litigation or lobbying)?
6. Are there legal restrictions on any stakeholder's participation?
7. Are there negative attitudes toward collaboration? From whom?
8. Is sufficient time available (and allocated) to address the key issues? Are there deadlines? Can a collaborative process be conducted before the deadline?

Procedural constraints may influence the scope of authority a collaborative process may have. For example, in a NEPA process the agency with decision authority cannot legally relinquish its decision-making power. However, a collaborative process can move forward and make agreed upon recommendations to the agency. The limitations of any decision space must be disclosed at the beginning of the process (Carpenter, 1999). Additional procedural questions to ask include the following:

1. Is implementation of any agreement likely?
2. What is the decision space for the parties? What can stakeholders contribute to the policy decision?

3. What is the potential for a collaborative agreement to be trumped (blocked or overturned) by a decision authority outside the process?
4. Is a potential decision likely to be precedent setting?

Understanding the procedural constraints will help determine the potential and nature of a collaborative process.

7. **Assess feasibility.** Answering the above questions related to substance of issues, relations of stakeholders, and procedural opportunities can help determine if moving forward with a collaborative process is feasible. If the dynamics are such that agreement is unlikely, then moving forward with a collaborative process is not in the best interest of the convener or stakeholders. In relation to the substance of the conflict, if issues are too complex or technical, if they are framed as a deeply rooted moral issue, or if there are few areas of potential agreement and no obvious areas to work on, then moving forward may be too much of a risk (O'Leary & Bingham, 2003). If there are deeply entrenched and polarized positions, irreconcilable differences, a contentious history, mistrust, hostility, low incentive, lack of support, and/or huge power imbalances among stakeholders then consensus is unlikely (Clarke, 1999, 2002). In relation to procedural constraints, if one or more key stakeholders refuse to participate, if there are unrealistic deadlines, no funding, or no legislative pressure to engage in a consensus-based process, then moving forward with a collaborative process is not the best course of action (Susskind & Thomas-Larmer, 1999). If relational, procedural, and substantial factors can be improved to increase collaborative potential, there may still be the possibility of moving forward, but it is the job of the assessor to give a realistic appraisal of the likelihood a collaborative process will yield positive results. If agreement is not feasible, the assessor should make known in a report that moving forward with a collaborative process is not a reasonable alternative.

8. **Write a conflict assessment report.** After analyzing the nuances of the conflict situation and assessing the feasibility of moving forward with a collaborative effort, the next step is to document the findings and provide a recommendation to the convener in a conflict assessment report.

When writing the report, the assessor must present issues in a synthesized, neutral, and confidential manner. It is important not to jeopardize your neutrality or share specific information a stakeholder may want to keep confidential (Carlson, 1999). For example, when presenting issues, an accurate description of the nuances of each issue organized by stakeholder category such as government, special interest group, or commercial interest can outline concerns without attributing them to a specific stakeholder. The purpose of the assessment report is to set forth a range of ideas, not to polarize the conflict in any way.

The structure of the report should be constructed and organized efficiently. The specific order and level of detail will be determined by the nuances of the environmental conflict but as a general guideline, a conflict assessment report should include the following sections: (a) executive summary (for longer reports), (b) introduction

(to the report), (c) background information (of the conflict), (d) findings and analysis, and (e) recommendation. Organizing the report in such a manner will provide clarity and support the assessor's recommendation.

### Report Outline

Conflict assessment report

- 1) Executive summary
- 2) Introduction (to the report)
- 3) Background information
  - History of conflict and introduction to issue
- 4) Findings and analysis issues
  - Stakeholders
  - Areas & level of agreement / disagreement
  - Opportunities and challenges
- 5) Recommendation
  - Level of engagement

In the report, the analysis of each dimension (substance, relational, and procedural) should be clearly articulated, as well as the areas of agreement and disagreement. Challenges and opportunities should also be clearly defined. It is often a good idea to organize information visually by a matrix or Venn diagram (ODA, 1995; Reed, 2008). For example, stakeholders identified by categories such as government, nonprofit organization, interest groups, and/or commercial interests could be placed on a matrix according to their relative interest and influence on a given issue. Another possibility is mapping the issues according to levels of agreement or disagreement, outlining opportunities for mutual gain. Finally, the assessor's recommendation as to whether or not a collaborative process is feasible should be noted and the suggested level of effort or engagement outlined. This may also include basic suggestions for public or community outreach to engage peripheral stakeholders and the general public.

In addition to the convener, a copy of the conflict assessment report should be given to each primary stakeholder interviewed. With its detailed analysis of the issues, it provides the parties with an impartial map of the underlying conflicts that will need to be addressed. Seeing their own interests represented in a neutral manner can be validating to stakeholders and can help widen their perspective regarding possible options for addressing differences.

If the assessment yields a positive recommendation to commence with a collaborative process, the convener then decides to initiate a process and works with

the mediator to design a process that will help meet project goals and engage stakeholders and the public. The next chapter (Chapter 6) outlines the guiding principles, strategies, and mechanisms for engaging stakeholders and the general public in environmental policy development.

## Considering Culture

### Using Cultural Dimensions to Improve Assessment

The *dimensions of culture* is a framework for cross-cultural communication, introduced by Hofstede in 1984. Hofstede originally proposed four dimensions along which cultural values could be analyzed: individualism/collectivism, uncertainty/avoidance, power/distance (strength of social hierarchy), and masculinity/femininity (task orientation versus person orientation). He later added two more dimensions: long-term orientation versus short-term orientation and indulgence versus self-restraint (Hofstede, 1984, 2001). Building on Hofstede, Lebaron and Pillay (2006) argue that the dimensions of culture can be viewed as guiding lights displayed on a continuum to help decode cultural ways of making meaning during conflict resolution processes. The following cultural dimensions are especially useful in assessing environmental conflict.

#### Individualism/Collectivism

Cultures with more individualistic perspectives value self-reliance, autonomy, and independence where individuals are accountable for their own choices. Identity comes from individual efforts toward personal growth, and competition is encouraged. Cultures with a more collectivistic view value cooperation, group harmony, and cohesion. Groups hold primary responsibility for decisions. Identity comes from interdependence within the group and is directly related to the reputation of the group. For example, the collaborative potential of a conflict over forest management in Sikkim, India, needs to be assessed within the collectivist cultural context of the region. Residents may be hesitant to engage in a process they fear could endanger the fragile harmony they have crafted over many generations.

#### Low-Power Difference/High-Power Difference

The cultural dimension of power difference highlights the degree of deference and acceptance of unequal power between people. High-power distance cultures accept that some people are superior to others because of their social status, which is often based on gender, race, age, formal education, or family lineage. Hierarchical structures are accepted and the special privileges awarded to those with more power are not questioned. This often leads to acceptance of an autocratic decision-making process. In low-power distance cultures, status and authority are less permanent. Additionally, although differences in achievement and status may be recognized, these differences do not translate into decision-making

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authority. In these cultures, equality and shared power are supported as part of the desired democratic decision-making process. Conflicts over forest management in Sikkim, for example, have developed within a relatively high-power distance culture, where family lineage is recognized as fundamental to a person's decision-making status. Residents are accustomed to granting authority to people with certain family names, rather than to those with other family names.

When assessing collaborative potential, it is important to consider how these dimensions of culture interact rather than thinking about them in isolation. In the example given above, villagers may express disapproval for illegal forest harvesting by their fellow residents in a private interview, but be unwilling to express their displeasure in a group setting because they fear the resulting exchange could damage group harmony. They may accept a hierarchic decision structure, but only so long as the decision makers have demonstrated that they are acting in the best interests of the community. In this case, collaborative potential is strengthened to the degree that community members with high social status have used their authority to support policies that seem to improve conditions throughout the community. On the other hand, collaborative potential is weakened to the degree that those with high social status have used their authority to support policies that seem to favor the interests of some individuals over others.

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## Case Study Application

### Questions/Worksheets and Activities:

Referring to your chosen case study in Appendix A, conduct a conflict assessment and write a report of your analysis. The following steps will help guide you in your analysis:

1. **History of Conflict**—Discuss as a group the history of the conflict. What primary and secondary sources are available? How has the conflict been framed in the past? As a group, begin your assessment report by writing a background information section including the history of the conflict and a brief introduction to the issues.
2. **Identify Key Stakeholders**—List the stakeholders. An initial list of stakeholders is provided for you in Appendix A. Categorize your stakeholder list according to their type (government agency, interest group, industry, etc.) and their relationship to the issue: primary, secondary, and peripheral. Building on this list, identify additional key stakeholders and their potential concerns making sure all potential interests are represented.
3. **Develop an Interview Instrument**—Guided by the history of the conflict and your initial understanding of the issue, develop an interview instrument or list of questions to be asked of each stakeholder. Be sure to develop open-ended questions that will engage the participants and provide insight into the conflict.



4. Contact and Schedule Stakeholder Interviews—Your next step is to write an introductory e-mail/letter inviting stakeholders to participate in an interview. This letter should identify the issue, explain the assessment process, and invite the stakeholder to participate.
5. Conduct the Stakeholder Interview—Because your case study is fictional, you will not conduct an interview with an outside stakeholder, but practice your interviewing skills by conducting a role-play with members of your group, where one individual is the interviewer and another the interested stakeholder.
6. Synthesize Findings and Perform Analysis—Using Daniels & Walker's (2001) progress triangle explained in this chapter, conduct an analysis of the substance, relational, and procedural elements of the issue. Using the suggested questions (or additional ones developed by your group) discuss as a team each aspect of the conflict: issues, relationship, procedures, and how they relate to each other. Continue your analysis by synthesizing your findings.
7. Assess Feasibility—Based on your discussion, write your recommendation regarding the potential for collaboration. This should include justifications based on your analysis.
8. Write a Conflict Assessment Report—Document your analysis and recommendation by providing a full detail assessment report (see outline above).

## Voices From the Field

### **The Grand/Neosho River Committee (GNRC)**

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In the spring of 1993, the Kansas Oklahoma Flood Control Alliance (KOFCA), whose membership consisted primarily of landowners immediately upstream, downstream, and those along the shoreline of the Grand Lake O' Cherokees, were concerned with management of water levels in the lake. Failure to release water through the flood gates in an attempt to use all of the water for hydropower generation would create a backwater effect upstream when the lake was full, inundating valuable properties and marinas on the lake when the water went into the flood pool, washing out downstream riparian owners, threatening the integrity of the dam and forcing an opening of the flood gates. KOFCA had approached the flood control managers, the U.S. Army Corps of Engineers (USACE) and the reservoir operators, the Grand River Dam Authority (GRDA), but had been summarily dismissed by both, with GRDA commenting they would run the system the way GRDA wanted and KOFCA did not have enough political clout to do anything about it. As a result, KOFCA filed a lawsuit against the USACE and GRDA. In an

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effort to avoid the litigation, congressional leaders in Kansas (Senator Nancy Kassebaum and Senator Bob Dole) and Oklahoma (Senator David Boren, Senator Don Nickles, and Representative Mike Synaur) organized an interstate committee to review the issues and make a recommendation. The GNRC consisted of 40 congressional appointees from Kansas, Missouri, and Oklahoma with the USACE and GRDA assigned as ex-officio technical support.

While there was no funding set aside for the committee, congressional staffers initially took turns helping with clerical work and postage, but the committee took that over as it developed, with most agency and industry representatives contributing to the costs. The USACE mostly provided technical presentations and facility tours, while the GRDA helped with meeting logistics and meals, mostly lunches. At the outset, there was a high level of animosity between several members of KOFCOA and GRDA as a result of the dismissive treatment by the GRDA Board and the Executive Director. In fact, some members of KOFCOA refused to be in the same room with members of GRDA and refused to accept any meals. Over time, that was defused and people could sit and visit amicably. The focus of GRDA's members at the time was hydropower production, and they believed their position was the only one of merit. One of the industry representatives pulled out of the committee when it became clear this was going to be a democratic process and his group would be unable to run roughshod over the proceedings.

Initial meetings were set aside to hear from the stakeholders and identify the issues, which expanded beyond flood control (above and below) to include recreation, water quality/supply, navigation, hydropower, upstream erosion, and wildlife. Subcommittees were formed to address each of these issues, with the charge to develop their position relative to water level management in the system. The full committee met monthly for nearly 3 years and reached a consensus on a water level management plan (guide curve) that gave some recognition to the concerns of the stakeholders. The recommendation in the final report was approved by the Federal Energy Regulatory Commission (FERC) and adopted by the USACE and GRDA in 1996. The Oklahoma Department of Wildlife Conservation (ODWC) quit participating in the final stages of deliberation as their concerns about being able to meet one of their goals was not gaining traction in the process. After the final report was sent to FERC, ODWC attempted to do an end run to get FERC to disapprove the recommendation, but FERC sided with the committee. That guide curve has withstood numerous efforts to change it and is still in use today.

## Key Terms

assessor	mediator	relational-stakeholder
conflict assessment	peripheral stakeholder	analysis
conflict assessment report	primary stakeholder	secondary stakeholder
facilitator	procedure-logistical consideration	stakeholder
interview instrument	progress triangle	substance issue
issue assessment		identification