

Dispute Resolution Strategies: How you can help as a Coach

**Ruth Fenton
Inspired Star
United Kingdom**

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Abstract: Ever wondered how to help clients resolve disagreements before the lawyers get involved? This paper gives an example of how to coach clients who have a dispute or disagreement, using the human needs psychology model, pleasure pain theory, rules, values and beliefs systems, rapport building and dispute resolution strategies.

Value: This paper will be of value to coaches, mentors, human resource professionals, training institutes and anyone who assists clients with disagreements and disputes.

Key words: Coaching, Psychology, Dispute, Resolution.

Introduction

Coaches can help clients to resolve disputes quickly and effectively by understanding and resolving the differences before the situation gets blown out of proportion. This can help the client save time, money and emotional distress.

Let's look at an example, Mr Jones goes to his lawyer as he thinks the neighbour's fence is 5 cm over his land. But really he has just found out Mr Smith next door is having an affair with Mrs Jones and he wants to punish them. This paper looks at how a coach can help clients such as Mr Jones understand Human Needs Psychology, their rules, values and beliefs to resolve a potential conflict before lawyers become involved.

Human Needs Psychology (Robbins et al., 2011)

Human Needs Psychology was created by Robbins and has similarities to Maslow's Hierarchy of Needs (Maslow, 1970). It explains the driving force behind all human behaviour and why people do the things they do.

Sharing the Human Needs Psychology Model with clients is extremely useful. It will help them understand why people do the things they do and how they can influence others to create a positive outcome. For the purposes of this paper, only a brief overview relevant to resolving disputes has been provided.

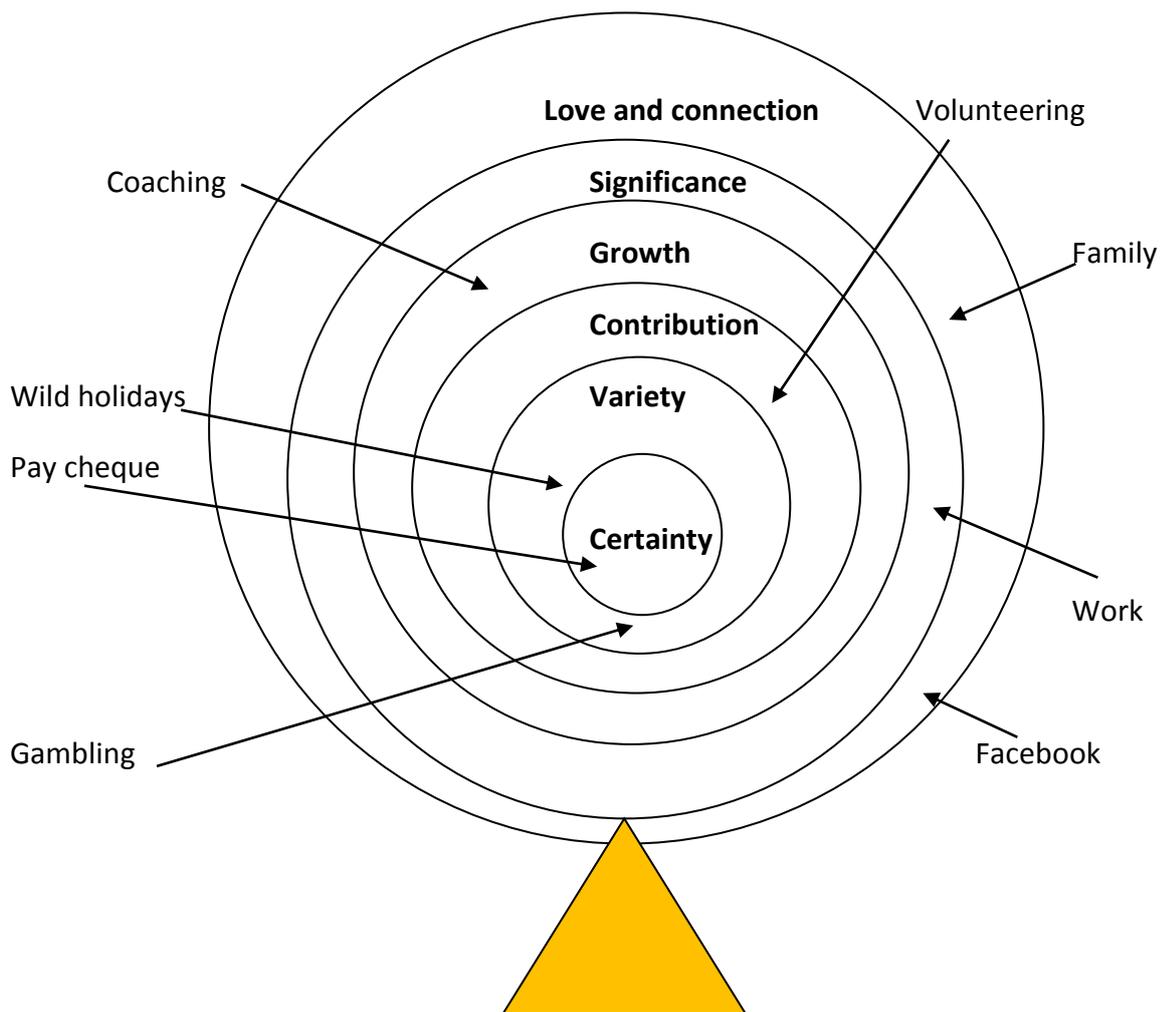
The Human Needs Psychology Model is very simple and easy to understand. No matter where you are from in the world, every human has 6 fundamental human needs in order to survive and feel fulfilled:

- Certainty/ comfort
- Uncertainty or variety
- Significance
- Love and connection

- Growth
- Contribution beyond yourself

Most people favour two needs above all others. These are called the driving force and influence peoples' behaviour and actions. People may meet these needs in empowering or destructive ways. The 6 human needs are normally depicted as a target and the way people meet their needs by arrows (vehicles). An example of how someone might order and meet their needs is provided in Figure 1 below.

Figure 1: Six Human Needs (Robbins & Madanes)



Once clients understand which vehicles they are using to meet their needs, they can consciously change them for ones which will better serve them, which is very useful in a dispute resolution situation. Questions created by Madanes (2009 pp. 161-196) in her book *Relationship Breakthrough* is a great starting point to help the client explore their needs.

Looking more closely at the 6 human needs:

Certainty / Comfort

Certainty is about feeling safe and comfortable in our surrounding and relationships. People can achieve this by knowing how things will work out for them, avoiding pain and stress, feeling grounded and protected. People who highly value certainty are often rule followers and have a lot of personal rules about how things should be. Helping the client create flexibility in their vehicles for achieving certainty will open up new opportunities when resolving challenges.

Uncertainty / Variety

Everyone requires some uncertainty. If everything was certain, humans would get bored, so this explains why people like to mix things up and break the rules. Robbins notes that you can measure the quality of your life by the amount of uncertainty you can live with. This links to getting out of your comfort zone and being curious.

Variety comes from a number of sources including your environment, mind and body. There are empowering and disempowering ways of meeting your need for variety. Disempowering ways may include having an affair or conflict, being in fear or crisis, having a “problem”, criminal activities or having an addiction for example drugs or gambling. Empowering ways may include playing new computer games, trying new foods or meeting new people.

Significance

Significance is about feeling needed, important, accepted and wanted. As we develop, we find ways to feel unique so people will take notice of us. This might be in good ways such as working hard to being employee of the month or mischievous ways for example throwing your “toys out the pram” because you need to feel significant and heard. People may use this strategy because it probably worked when they were a toddler and has continued working. People who value significance over love and connection may find it hard to connect with others and may ultimately become rejected.

People may get significance from destroying something or someone financially, physically or emotionally. They may create fear in others or be fearful themselves, be depressed or just have a problem which makes other people take notice of them. On the flip side people can gain significance in positive ways by, for example, creating or achieving something, building a better life or gaining recognition for a project.

Love and Connection

Across the world, people experience love and connection in different ways. It might be love of family or the tribe in one culture or a romantic love in another culture. Humans can get love and connection from people in the workplace, community or from family members and friends. Love and connection can be expressed as warmth towards others, sharing a common interest or goal, passion or desire etc.

Growth

Humans constantly need to adapt to new situations, develop new skills and evolve physically and mentally. People experience different life stages and have learnings at every stage, for example becoming parents or learning how to swim. Learning new skills and gaining new understandings may increase our wealth or happiness.

Humans often compare themselves against others and form hierarchies. These can be seen in the family and work place. In some cultures, hierarchies are very pronounced and form a major component of day to day living and working. Comparing yourself against someone with higher standards than you can be constructive and help a person to grow. As we grow our perceptions may change as we feel differently about things. People may grow physically, emotionally, intellectually and spiritually.

Contribution

Contribution beyond yourself is the 6th human need. Everyone is able to contribute. It can be in small ways, for example, giving someone a smile or saying hello, doing a good turn, donating time or money etc. Contribution leads to fulfilment and happiness.

One vehicle may meet more than one human need. For example, Mr Jones taking legal action against Mr Smith will meet his need for uncertainty as he will not know how the case will turn out or how much it will cost him in terms of time and money, significance as he feels important and the one in control, connection with his lawyer and supporters and certainty that he will provoke a reaction in Mr Smith and his Wife. Meeting more than 4 needs by one vehicle can lead to addiction, which may explain why some people constantly take legal action against others.

Pleasure pain theory

Now we understand the driving forces behind human behaviour, we can start linking this to other models which explain why people may act in a certain way.

Most, if not all, humans are motivated by avoiding pain or gaining pleasure. The pleasure pain theory has been developed in NLP (Neuro Linguistic Programming) circles as a meta-program, and is based on the work of Bandler and Grinder.

Every decision we take either consciously or unconsciously is based on an outcome. Normally humans act with good intention to meet their needs and avoid pain or gain pleasure. For example, someone may shoplift because they are hungry and need to eat. Not shoplifting becomes more painful than shoplifting so this motivates their action. In the process, they meet their needs for uncertainty, significance, certainty and connection. Another person may shoplift because it will bring pleasure. Maybe they are homeless, it's cold outside and if they get caught, they will have a warm bed and food for the night at the police station and if they don't get caught, they get the food or drink and can spend their money on something else.

People will do anything to meet their needs. When acting out of fear or scarcity, people tend to make bad decisions which they later regret. This is often explained as “when emotions are high, intellect is low.” To save face, people try and cover things up, lie, act in denial, blame others or withdraw. It may manifest as anger, sadness or depression.

When people are happy, they tend to make heartfelt, well thought out decisions by which they feel comfortable and motivated. This leads to feelings of fulfilment and self-worth.

Getting to the real issue

Now we have explored the reasons behind why people have made the decisions they have made, let's look at why these might be in conflict with someone else and lead to a misunderstanding, disagreement or dispute.

Everyone has **rules** by which they live their lives. They have personal standards which they strive to meet and may be hard on themselves or others when they fail to live up to their expectations. Rules are internal but influenced by the environment and people in the person's life.

Beliefs come from religions, cultures, family, friends, and the environment. Often beliefs are imprinted on us at an early age and when we actually ask ourselves why do I believe X to be true, it is often because we were influenced by someone through something they said or did, or we were told that we should think in a certain way. As we get older we start to question our beliefs. We may conclude that it's actually not what we believe to be true, it's not who we are at our core, our beliefs are not serving us and we can gain happiness and fulfilment by believing something else.

Values are like a measuring stick of how we expect ourselves and others to behave. We are constantly weighing up the pros and cons of decisions and evaluating our performance against what we value most in life.

Humans are unique in their rules, beliefs, values and thinking, so it's not surprising that we all have different ideas about how things should be done. When someone has different values, beliefs or personal rules which are violated by someone or something, conflict and disagreements arise. It may be something simple like your boss goes home early and doesn't tell you. Your rule maybe that the boss should let you know when he is out the office so you can deal with things appropriately in his absence. The boss may believe that it doesn't matter where he is, as his staff should be able to deal with things when he is not there. You may have a high respect for the boss and want to make sure everything is done to his exact standards, so him being out the office causes you stress. Maybe an important phone call comes in and since you don't know where the boss is, the client can't wait so the company loses the business. The boss then blames you, this violates your rules as in your eyes he should have told you he was going home, or at the very least, let you know what to do when an important call came in.

If your client has a particular disagreement or dispute, explore what rules, values and beliefs they have about:

- 1) The other party (how should they behave or react?)
- 2) The situation (what is the situation? How do they feel about that situation?)
- 3) The real issue in dispute (what is it really about? The client needs to be totally honest with themselves and others around them, even if it makes them look bad.)
- 4) The outcome (what is most important?)

It's important for them to understand their human needs and how, when and why they made the decisions they did. Plotting them on a timeline or creating a target like in Figure 1. may help visual clients or kinaesthetic clients.

The client needs to take responsibility for their decisions and actions. People make mistakes and misjudgements all the time. The client can choose to accept the situation, learn from it, integrate the learning and share them with others, so others don't make the same mistake, or blame others and cover it up. Covering it up often causes people pain as it works against their true identity. For example family and friends think poorly of them and thus take away love, respect and connection.

Coaching clients with legal disputes:

Clients can save themselves so much time, stress and money just by understanding what the real issues are before they trot off to the lawyers office. Lawyers often profit out of people's misfortune or greed. Lawyers are often under pressure to meet billing targets and make the firm money, so they sometimes lose sight of the client's real needs.

The Law is about having commonly accepted rules by which communities can live together in harmony. As noted above, everyone has different rules, beliefs and values and are motivated by their human needs in different ways so it's understandable that certain issues set out in Law might be totally against what the person thinks, feels and believes.

Often people commence legal actions out of fear, revenge or stubbornness and then find themselves pulled into the situation. Mr Jones is a prime example. Their reaction is then to stand up and fight not for the cause but to save face or just make the other person suffer financially or emotionally. As a result many people settle on the court steps because they know they are in the wrong and just wanted to make a point, fulfilling their need for significance and certainty.

The client's rules about how others should treat them are often violated because the client cannot control anything outside of their own body and mind. Trying to control another human being often leads to stress, frustration and disappointment. The client needs to focus on what they can do to make a difference, not what the other person should do. The client needs to be able to live with themselves and their decisions.

Often in legal disputes clients feel they have a paradox and no options left. They are backed into a corner, when actually if they move out of their comfort zone (out of certainty into uncertainty) or just give a situation a new meaning, they can move things forward and resolve the dispute. In the case of Mr Jones, his issue is a moral issue which needs to be resolved, not necessary a legal issue.

Coaching strategies for helping clients resolve disputes

- 1) Coaches should be aware of their own rules, values and beliefs to ensure they are not impacting on the clients' decisions. The client needs to resolve the situation in their own way, in line with their rules, values and beliefs.
- 2) Help the client understand the true issues from the start and what their desired outcome is. Work with clients to explore their values, rules, beliefs and how they are meeting their needs. It may be they need to revisit their rules, values and beliefs to check they are best serving them and make appropriate changes.
- 3) The client needs to know where they are in their thought process and think ahead to consequences of their actions, financially, emotionally and physically. This should provide leverage to get the issue resolved quickly.
- 4) Understand the other party's position – if your client understands the other party, what their goals are, what they value most, what they are scared of, what they will lose, what resources they have, they will be in a lot stronger position to be able to present solutions and influence them.
- 5) Redefine the problem in solvable terms – people often become fixated on what went wrong and can't see a way out, or they focus on an unrealistic solution and won't consider anything else. Redefining the problem opens up possibilities, creates opportunities and a new empowering focus.
- 6) Be flexible – the more flexible the client is, the easier it is to come up with solutions. The party with the most flexibility will be the stronger party and more influential. The client should explore all the resources that they have and tap into them.
- 7) Sharing language patterns, rapport building, pacing and leading skills with your clients will help them build rapport with the other party and reduce the chances of hostility. Your clients will be able to control their physiology and language to influence the other party and create a workable conclusion.
- 8) Often in resolving disputes, keeping lawyers out of discussions will speed up the process, cost less and make the parties feel that it's their decision and they have not been bullied into the solution.

This paper has given a brief summary of how coaches can use human needs psychology, rules, values and beliefs systems to help a client such as Mr Jones understand how disputes arise and how they can be resolved by a few simple strategies.

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Acknowledgments:

This article was inspired by the on-line Strategic Intervention Coach Training Programme, to find out more about this programme please visit <http://robbinsmadanestraining.com>.

About the Author

Ruth Fenton is a Legal Business Strategist and Strategic Intervention Coach with Inspired Star. Being a Lawyer, Ruth specialises in coaching and mentoring Lawyers and Dispute Resolution professionals globally. Alongside her coaching practice Ruth acts as a Mediator and Arbitrator. Ruth trained with The Center for Strategic Intervention in California USA, and is a Master Neuro-Strategist and Master NLP Practitioner. For more details, please visit www.inspiredstar.net or email ruth.fenton@inspiredstar.net.