

Shifting from confrontation to participation in decision making: the interest-based paradigm...

Navigating the emerging decision making paradigm

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I have been asked many times to describe what I do and how I help organizations learn a new, a different and better way of making decisions. But this time it started with an out-of-right-field question that really threw me for a bit.

We were sitting in a standard issue government cafeteria in the Department of Labor, taking a break from a meeting of state directors of area labor-management committees. As I was gazing into the styrofoam cup trying to figure out how anyone could do this to coffee, the guy sitting across from me says, “what’s your metaphor?”

I almost spilled my coffee as I jerked my head up to look to see who had asked such a quirky out of the blue question. The guy who asked the question was Ned Hamson. I had met him briefly that morning when the meeting started. He had asked me where I was from. After I said Sacramento, California, he simply said, “Hmm. I grew up in LA.”

For the moment being from LA helped to explain the strange question. Then he asked again, “What’s your metaphor? The one that explains what you were talking about this morning?” I had to stall, since I didn’t have an answer as yet. I said, “Ah, what’s AQP and what do you do?” As he explained AQP and that he was editor of its journal, the metaphor began to take shape in my mind’s eye. Then we had a most interesting conversation and were late in getting back to the meeting.

Even though four years have passed since that conversation, the metaphor that came to me that day still describes for me what change, changing (especially how groups make decisions) and paradigms are all about.

The when-you-realize-you’ll-have-to-change metaphor... I’m cruising down the freeway in my very comfortable and well broken in car. I’m going the speed limit and suddenly I’m nearly blown off the road by some guy in something that looks like it might be a car, but I can’t quite tell because it went by so fast. To keep up with whatever it was, I know I’d have to replace my engine, drive train, wheels and tires, body and the steering system. Worse yet, I realize that I will have to do it while I’m still driving what I have because I can’t afford to start from scratch. Then, just ahead I see a “No speed limit” sign.

If the metaphor fits what it felt like when you or your organization realized that change was necessary and if you are the one who will have to help the organization out of being so comfortable in its old car (organization), the next question always is: where do we start?

As my focus is both systemic and paradigmatic, I begin with the most basic, every day act that people in all organizations do everyday: communicate with each other and make individual and group decisions. The style I use is interactive and makes use of lots of pictures or diagrams that compare the old and current model with the emergent model — the new paradigm of decision making and communication. **I**

So where do we start? We begin with the basics: two parties in an organization negotiating their differences over terms and conditions of employment. What are they trying to do?

They're trying to reach an agreement, right? So, then, let's say that reaching an agreement is a consequence of something: *meeting of minds*. A *meeting of minds* is a consequence of something we call understanding. The question is then, what creates understanding?

Understanding understanding

Successful problem solving, like negotiation, is essentially a consequence of the parties to an issue understanding it well enough to have a meeting of the minds about the issue and the solution. Understanding, *coming to know or be known* in the mind of another person or group, is a consequence of communication. But what is communication? What does it look like?

The interesting thing about talking and listening is that it doesn't have as much to do with words, eardrums, and vocal cords! We understand each other through communication but, how do we talk and listen? **2**

Communication involves the orchestration (as an individual or as a group) of three types of behavior: words, affect, and ritual and practice.

Communication through words... Language, either verbal or written, is used to convey or memorialize information and knowledge about the situation at hand. When making decisions or solving problems, there appear to be three word categories:

1. Words with which we set forth the situation or issue...
2. Words used in the ritual and for affect...
3. Words that memorialize solution and agreement.

Communication through affect... Affect is non-verbal posture, body language, tone of voice, facial expression, demonstration or lack of emotion. It includes such things as volume, intensity, and timing. It has many cultural constraints and connections, and often conveys commitment, urgency, intensity.

Ritual and practice... Ritual and practice involves *who* does or says *what* and *when*. Ritual includes assumptions and principles about how success is accomplished. It's both a learned and taught collection of steps, sequences and protocols that guides behaviors between and among the parties to the issue.

What is interest-based decision making?

An interest-based approach to communication, negotiation and problem solving is a non-adversarial means of achieving decisions or even just being understood in a discussion or dialogue with others. It is a collection of principles and techniques familiar to anyone. These principles include concepts such as:

- Focusing on issues not personalities...
- Making decisions based on an objective reason rather than power or coercion...
- Accepting all motives or interests as givens, rather than evaluating those interests as right or wrong.

Interest-based decision making includes recognizing that human beings are just that and as such we usually find ourselves *in relationship* to others. Because of this, the human element in any situation must be taken into account and focused on as much as the substantive if one is to achieve a good and lasting situation rather than a win (a win often guarantees that an enemy has just been created; one who will do everything possible to insure a lose next time, or as the late Jesse Unruh would say, "Don't get mad, get even.").

Although the components are familiar, to work well and serve as a tool for developing organizational effectiveness in the face of constant change, the interest approach is most successful when introduced jointly to the parties committed to using it. The introduction is through a facilitated training and practice.

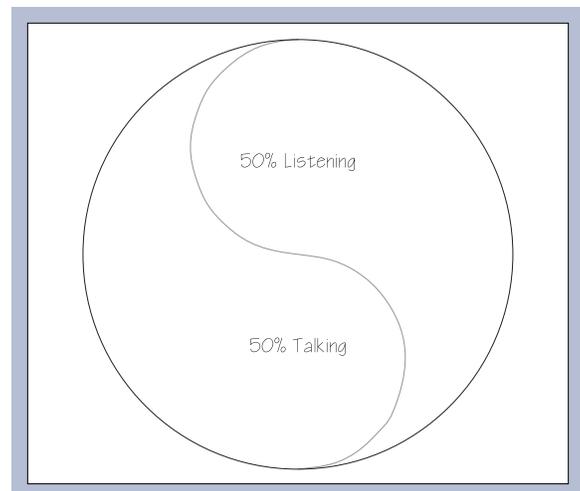
Who uses this approach? It is being used in labor relations, public policy decision making, alternative dispute resolution, international relations, economic development, counseling, planning, business, government, and more. Professionals in these fields and more are discovering that the traditional approaches are no longer effective in the face of multifaceted and constant change.

Is it effective? The approach is at one and the same time, analytic and creative. Its application in public school labor relations reduced the filing of formal complaints by 70 percent. Its application in international relations is visible today in South Africa and the Middle East. The interest approach is fast becoming the antidote to failed or stalled initiatives in quality and participatory management in business.

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50/50 communication...

According to *Getting to Yes* author Roger Fisher communication is "50 percent talking and 50 percent listening, and the most important part is the listening."



2

The conventional communications paradigm...

Words:

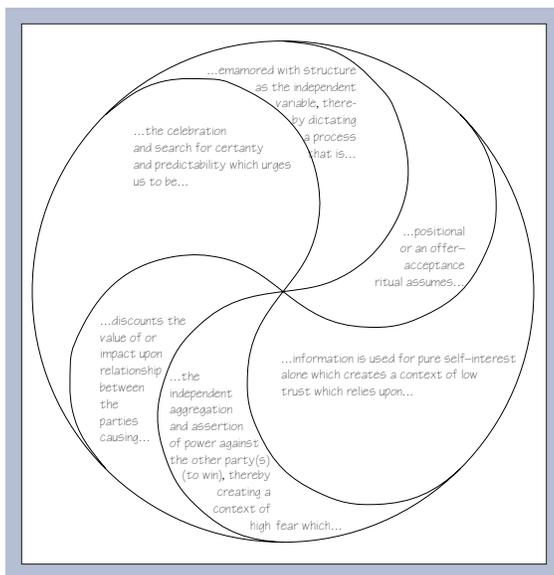
- About issues: distributive
- In ritual: constrained
- About issues: restrictive.

Affect:

- Is confrontational
- Is adversarial

Ritual:

- Is positional



The emerging communications paradigm...

Words:

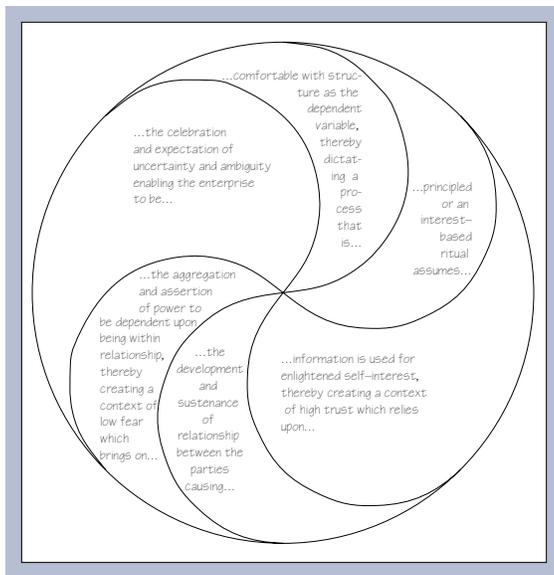
- About issues: integrative and interconnected
- In ritual they are creative and expansive
- About issues are restrictive.

Affect:

- Cooperative
- Collaborative

Ritual:

- Principled



3

The use of raw power has been diffused and/or reduced by the concept of RIGHTS and the offer/counter-offer, accept/reject method of negotiations. In the workplace we've been practicing a version of the RIGHTS concept and the conventional communications model for about 150 years. The tug of war in the workplace or elsewhere has focused on determining where one party's rights end and another's begin. This model reflects our (now outmoded) Newtonian understanding of how the universe works — for each action, there is an equal and opposite reaction.

The emerging communications paradigm... Since the *rights won through confrontation* or assertion concept became entrenched in law or logic, our understanding of the world has grown much more complex. We are now realizing that the conventional decision making model is not serving us well. And we have realized that there is a need for something other than offer/counter-offer, have or have not, win or lose. The emerging model reflects our current understanding that the universe may be understood through quantum, field, chaos, and Newtonian theories all at the same time.

What's our communication about? Most often, our communication concerns a situation, issue, dispute, problem, or an opportunity. I personally dislike the word problem and like to use *opportunity* instead. The negative qualities associated with it (problem child, problem worker, he/she is problematic) carry biases that preclude some choices and/or data from being considered. Semantics aside, when we communicate to reconcile different views of a situation, needs and/or desires it's also to settle differences over *how* the situation is to be resolved.

My colleague, Ian Walke, introduced me to a convenient way of entering into an analysis of any situation. He calls it *CPR!* I call it "Ian's triage". ⁴ Any opportunity or situation can be thought of as having three fundamental components: content, process and relationship. Each of these in turn, can be further analyzed. When all these elements are understood, diagnosis, prescription, and practice are possible. A closer look at the content aspect is presented in the boxed figure on the next page. ⁵

The process aspect of decision making... The process or ritual aspect of decision making may also be presented as alternative conventional and emerging paradigms.

How we communicate to solve problems — If we think about decision making as paradigm driven, two significant and identifiable models of decision making or problem solving in the workplace can be defined: conventional communication and an emerging paradigm of communication for decision making. ³

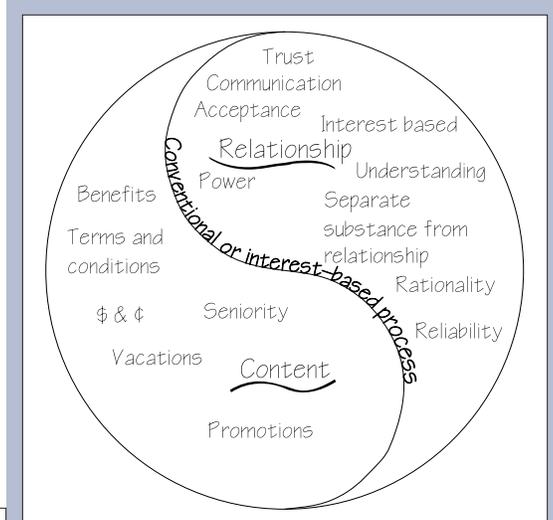
The conventional communications paradigm... This has been the predominate paradigm used for the better part of this millennium. In Western Civilization at least, this model represents our way of escaping from making of decisions by the assertion of raw, physical power.

The process and logistics of each offers the most visible and recognizable contrast between the two paradigms. In the conventional approach, people face off against each other as they would before

the puck is dropped (ice hockey), the ball is thrown up (basketball), or the ball dropped (rugby) to begin the game. **6**

Ian's triage for understanding issues and situations...

Any opportunity or situation is susceptible to analysis (taking it apart or disaggregating it) as to these three fundamental components: content, process and relationship. Each of these components, in turn, is susceptible to further scrutiny. Once the elements of each component are understood, diagnosis, prescription, and practice are possible.



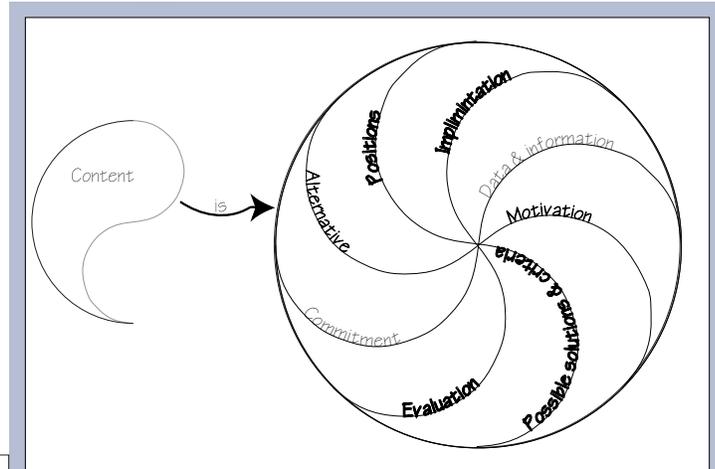
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The content aspect of Ian's triage

Think of yourself as the lens of a camera, what is seen when the shutter is opened and the snapshot taken are these:

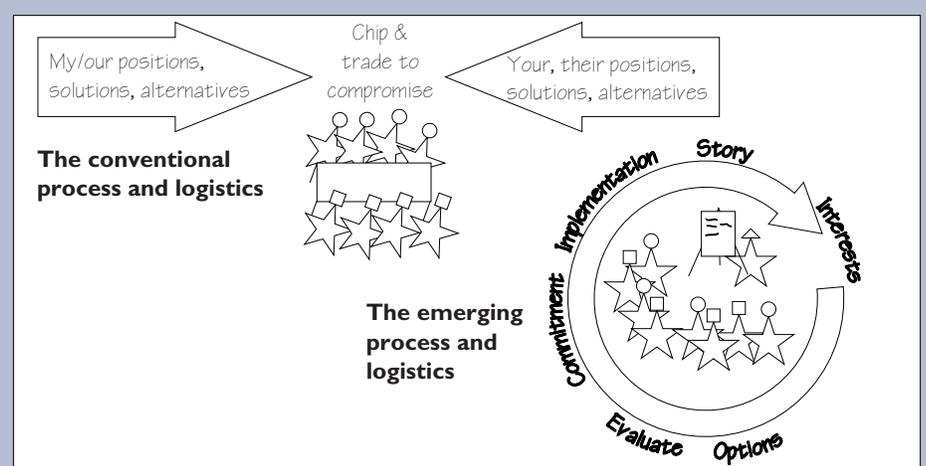
- Data or information.....Telling the story with perspectives too
- Motive, need, interestsHeritage, culture, Maslow, history
- Position.....The solution to which one party is committed
- Possible solutions & criteriaMultiple other prospects for solving but require agreement
- Evaluative behaviorComparing solutions to motives and measures
- Decision/commitment.....Saying "yes" or saying "no"
- Alternatives.....What can be done without anyone's agreement or if can't get agreement
- Implementation behavior.....Putting the solution into action

5



The process aspect of Ian's triage

The process and logistics of each offers the most visible and recognizable contrast between the two paradigms. In the conventional approach, people face off against each other as they would before the puck is dropped (ice hockey), the ball is thrown up (basketball), or the ball dropped (rugby) to begin the game.

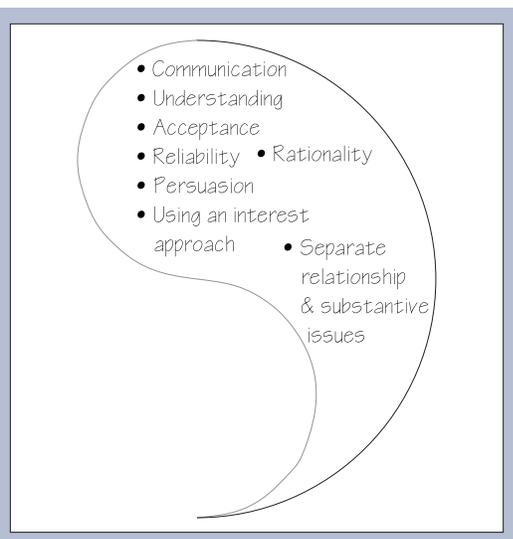


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The relationship aspect of decision making...

Drawing from Fisher and Brown's *Getting Together*, my and my colleague's use of the interest-based approach in many different organizations, I have found that there are eight elements to effective relationships.

7



When these principles are compared with the conventional model, you begin to see why the offer-acceptance model is divisive, or non-functional as a workplace (community) building tool. A quick look back at the process figure demonstrates how the conventional model discounts the importance of relationship as a variable in problem solving/decision making. **6**

Pulling the interest-based process together

To bring the principles of an interest approach to life, a dynamic sequence of steps, techniques and assumptions is recommended. **8**

Those who are familiar with the brainstorming and consensus decision making approaches should find these principles quite familiar, and should be able to see why their use in other types of decision making will be beneficial:

- Focus on issues, not personalities...
- Describe, don't accuse...
- Tell the truth...
- Defer evaluation...
- Defer commitment...
- Focus on interests, not positions...
- Don't judge interests...
- Attempt to meet both separate and mutual interests...
- Develop legitimacy...
- Use consensus...
- Be systematic and celebrate learning.

The interest-based problem solving elements in sequence...

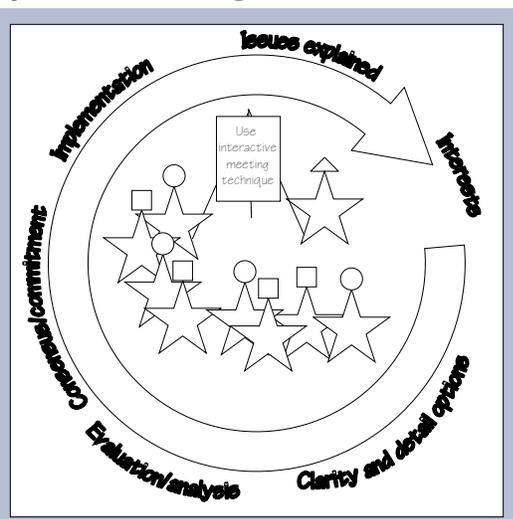
Problem issues are explained in detail and analyzed.

Interests: Discuss, answer questions about why we're here and motivate to solve the issue.

Clarify and detail options: Establish criteria — standards for measurements are objectively agreed to by parties.

Evaluation/analysis: Comparing options to interests & criteria stimulates improvement in plan.

8



Consensus/commitment:

Members can live with options for now and will work to achieve its success.

Implementation: What, who, when, work: Detailed procedures are outlined and responsibilities assigned.

The dynamic aspect of the approach comes into play when elements previously discussed or agreed upon re-emerge. At that point, participants return to the previous step and begin the process *again* at that step.

The essential approach is to engage in a sequential yet dynamic application of elements and techniques to the *problem (opportunity)*.

All of this occurs in a larger setting — The larger context of practicing these principles and tools is where we discover another, fundamental principle of an interest approach to problem solving: finding, understanding and evaluating each party's unattractive unilateral alternatives. **9**

The relationship aspect of decision making... Drawing from Fisher and Brown's *Getting Together*, my and my colleague's use of the interest-based approach in many different organizations, I have found that there are eight elements to effective relationships. **7**

Knowing the alternative and the probable reaction by the other parties to its use serves as a powerful measuring device for agreement or solution which emerges from an interest approach.

How to implement an interest-based process

The choice to launch a change in process and culture such as this is dramatic and significant. It involves a great deal of unlearning very old and ingrained habits and the learning and practice of new habits. It is very much like the struggle to recover from an addiction to accumulating and asserting power — I call those who chose to follow the new paradigm *recovering authoritarians*.

Getting started — Getting started involves some joint exploration of the concept such as a joint delegation attending a conference and/or an orientation given to a joint audience (on your site) by an experienced interest-based facilitator or practitioner. Next, an introductory training of appropriate length (3 or 5 days) is necessary. This training should be reinforced with follow-up facilitation. The necessity that the training be joint cannot be emphasized enough. Even with the training, practice in the principles is obligatory if you want to avoid backsliding into the traditional paradigm again. Once engaged in the interest approach, be advised that for a long time to come you must think of yourselves as recovering authoritarians. Patience, forthrightness in reminding each other of backsliding symptoms and determination to stay the course may sound like old needlepoint homilies, but they are necessary to your success nonetheless.

Final thoughts

The emerging paradigm for successful decision making is not someone's grand experiment, nor is it a *plug-in* approach. Many organizations are using it and finding that they can rebuild their vehicle while staying on the road. They have found that with this process they can not only catch up with those already using it but they can keep pace (or even pass the folks driving the old model of the new paradigm) as the paradigm evolves into an even more flexible and effective vehicle for change.

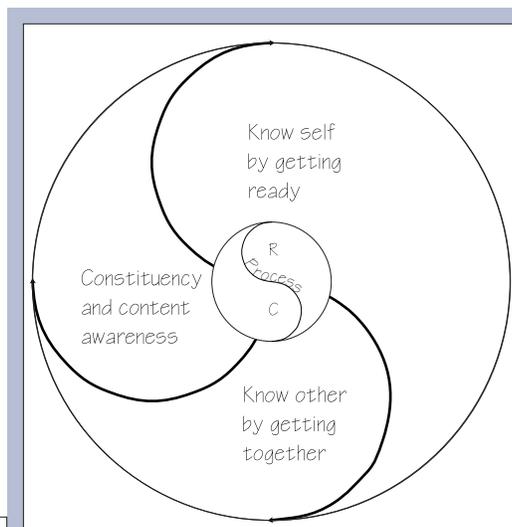
Adjusting to the ever changing demands of the marketplace just cannot be done in the boardroom, the R&D lab, or by purchasing new technology anymore. It takes making best use of the decision making capabilities of everyone in the enterprise. Think of it this way: if change is a huge powerful (and fast) bulldozer, instead of a fast car — whose help won't you need to be sure your enterprise doesn't become part of the road? ♦

The larger context of the overall process...

The larger context of practicing these principles and tools is where we discover another, fundamental principle of an interest approach to problem solving: finding, understanding and evaluating each party's unattractive unilateral alternatives.

An alternative in this context is something which one party can do without the agreement of the other or what any party can do if agreement cannot be reached.

The alternatives must be evaluated for their impact if actually acted out.



The alternative...



Addendum: some terms of art...

Interests... The motives of the parties to the negotiation. What people or groups need. Derived and reflective of heritage, culture, and stories of the group. Can even be arranged in a hierarchy or priority as with the research of Maslow. A condition sought, a state of being.

Options... Possible solutions. In order to operationalize will need the agreement of the parties to the negotiation. The work product of brainstorming without commitment or evaluation. The "other" right answers per John Glaser.

Criteria... Objective standards of measurement. When agreed to by the parties, serve to compare against options. Work product of brainstorming and research. Often externally derived or imposed by control agencies or funding sources. Presenting practitioners with a paradox in that they are also options. There is no one "magic" criteria for any issue.

Alternatives... What either party to a negotiation can do without the agreement of the other. What can be done in the event that no agreement can be reached. Feel like threats when perceived by the other party. Don't take your gun out of the holster unless you intend to use it.

Positions, demands, proposal... The solution to which one party is committed. Due to the nature of our familiarity and comfort with the conventional model of offer-acceptance negotiations, these often invite evaluation... usually in the form of judging the interests of the party presenting the proposal.



Steve Barber has spent the better part of the past decade (12,000+ hours) introducing union and management groups to non-adversarial means of labor relations and negotiation. Barber, a native of Taft, California, served a variety of posts (including that of deputy director) during 15 years of service in California's Public Employment Relations Board. Barber's groundbreaking work at PERB led to the creation of the California Foundation for the Improvement of Employer-Employee Relations (CFIER).

Continued on next page

Evaluation... The comparison of possible solutions (options) to criteria, interest, and the issue or problem. *How well does this option meet our mutual and separate interests, fit the criteria, and solve the problem?* This exercise is accomplished without commitment.

Consensus... When the parties to the negotiation can say that at the very least the option is one that they can live with and support for now. Note that so long as a party to the negotiation is saying "no" consensus doesn't exist. However, the naysaying participant is obliged to explain *why*, so that the naysayer and other participants can continue to focus on creative solution designing.

Interactive meeting... A facilitated meeting of a group of people. Utilizes a non-conventional format in setting and process.

BATNA... The best alternative to a negotiated agreement.

Legitimacy... The psychological condition of ownership or support for a decision. A consequence of using reason(s) and participation rather than power, coercion, or leverage as the basis for a decision.

Background and recommended reading:

This short bibliography will provide you with some windows into the emerging paradigm. Each of these books in turn contains substantial references for further reading and inquiry.

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