



RESOLVING SPORTS CONFLICT

“Things will go wrong at times. You can’t always control your attitude, approach, and response. Your options are to complain or to look ahead and figure out how to make the situation better.” – Former NFL Coach Tony Dungy

We discussed the many causes, types, and costs of conflict in *Understanding Sports Conflict*, and we introduced context-specific strategies to effectively prevent further conflict in *Preventing Sports Conflict*. This paper will discuss tools and strategies to resolve existing conflict. While we will continue to emphasize the importance of prevention for sustainable change, we must also recognize that some amount of conflict is inevitable. How we choose to manage that conflict can help or hinder the success of athletes, coaches and the industry.

When an organization becomes acquainted with the enormous costs of destructive conflict, administrators are generally eager to resolve the dispute. While this may be an intuitive response—much more so than implementing preventive measures—resolving conflict is not a simple task. Although an organization’s administration or leadership may be eager to resolve conflict within the ranks, they may be too far removed from the issue itself to offer much understanding about the detailed origins of the dispute. They see the manifestations of the conflict and they genuinely want to stop it, but the roots of such conflicts generally run much deeper than that which meets the outside eye. Many times, when trying to curb the costs of destructive conflict, we become so focused upon the symptoms that we overlook the causes. In such cases, the conflict is never truly resolved.

We Know There’s a Problem, But We Don’t Know What to Do

Conflict can be insidious. An organization may recognize that it could be operating much more effectively than it is, but no one is sure what to do about it. In many situations, stakeholders at all levels have different ideas about where the problem resides and how it should be handled. While complicated and consuming, these conflicts can be resolved if the parties themselves have an interest in doing so (and they usually do).

According to Dr. Edward H. Schein, professor of management at MIT, “Managers often sense that all is not well or that things could be better, but they do not have the tools with which to translate their vague feelings into concrete action steps.” Organizations with long-standing conflicts and other complex disputes often benefit from outside assistance. Third party neutrals are helpful because they do not exercise an interest in the outcome, and they do not take sides or impose solutions. While the specific role of a neutral varies depending upon his or her title, (e.g., ombuds, mediator, etc.), he or she generally takes an interest-based approach to help parties

identify the issues underlying the conflict and offers assistance as the stakeholders devise a system to address such issues.

Weighing the Options

There are a number of ways to approach a particular conflict situation, and there are costs and benefits associated with each approach. It is important to consider these potential costs and benefits, and to make thoughtful choices in strategy. Automatically defaulting to a single approach generally results in unnecessary costs. Different problems necessitate different solutions.

In general, there are four basic ways in which to resolve conflict in sports. We will outline them below and provide a few of the many costs and benefits associated with each.

Resolve it ourselves. Sometimes the conflict can be resolved by the parties involved.

Potential Benefits:

- Conflict can be resolved in a timely manner
- Inexpensive
- Low-profile

Potential Costs:

- Parties involved may not possess adequate skills to resolve conflict
- Conflict could escalate as a result of power struggles, etc.
- Other related issues may arise that the involved parties are not equipped to address

Example: If two top players start a fight during practice the day before an important game, the best approach may be for a coach to sit down with the two players to understand the reasons for the dispute and help them find a way to resolve it.

Seek assistance from someone within the organization. Sometimes there exists an individual within the organization who can help the parties resolve their conflict. (e.g., an athletic department administrator, academic advisor, etc.)

Potential Benefits:

- Conflict can be resolved in a relatively timely manner
- Inexpensive
- Relatively low-profile
- Individual may possess an in-depth understanding of the issue at hand

Potential Costs:

- Individual within organization may not possess adequate skills to fully understand or resolve conflict
- Individual may be biased toward a particular party
- Conflict could escalate if one party feels he or she has been treated unjustly
- Parties may have to wait a short period of time before the assisting individual is available to meet

Example: If the conflict is between a coach and a player (or players), an athletic director may be able to apply past experience with such situations to provide context and help the parties resolve the conflict.

Seek assistance from a neutral third party. Sometimes the situation is too emotional, complicated, or long-standing for the parties to resolve the conflict on their own, but it is impractical or unwise to seek assistance from another party within the organization. Or, perhaps the parties' relationship involves an imbalance of power by nature of the individuals' positions, and this prevents them from reaching an agreement or from confidently stating their concerns (e.g., the conflict is between a coach and a student-athlete). Assistance from a neutral third party can help all parties to participate equally in devising a resolution the issue at hand.

Potential Benefits:

- Relatively inexpensive
- Confidential
- Low-profile
- Imparts communication and conflict resolution skills that can be utilized in future situations

Potential Costs:

- Parties may not be able to reach an agreement or identify common ground
- Parties may have to wait a short period before the neutral is available to meet

Example: Suppose several intercollegiate athletes feel they have discriminated against by a member of the coaching staff. They are reluctant to discuss the issue openly with coaches or administrators for fear of negative repercussions. They may, however, be willing to discuss their concerns with an ombuds or another neutral party who holds all information in confidence. An ombuds is uniquely positioned to utilize confidential information provided by a variety of stakeholders to help organizations manage conflict. The ombuds communicates the athletes' concerns to the appropriate parties without putting the players at risk. It's also possible that the issue extends well beyond these players or the season, and the ombuds may recommend potential areas in which organizational change could effectively resolve systemic conflict areas.

Seek assistance from advocates: Sometimes parties are not equipped to represent their own interests when attempting to resolve particular conflict situations. Or, one or both parties may have experienced a level of harm that inhibits their ability to effectively communicate with the other party. In these situations, informed advocates can be called in to act in the interest of others. (Some examples of advocates include: union representatives, attorneys, agents, parents of collegiate athletes, etc.)

Potential Benefits:

- Outcomes may be legally binding (in instances involving litigation, etc.)
- Systemic issues embedded deep within the system may be brought to light
- Advocates may recognize viable solutions that parties close to the conflict may not

Potential Costs:

- Expensive
- High-profile
- Records are frequently made public
- Parties may have to wait a long period of time before the conflict resolution process begins and the process itself may require a great deal of time

Example: Title IX provides a legal guidepost from which to argue gender discrimination cases in educational institutions. The law was established in response to labor inequities, but it was extended to include intercollegiate athletics when the United States Department of Health, Education & Welfare was charged with clarifying the scope of implementation. If the landmark Title IX cases had been resolved by any method besides litigation, the systemic issue of gender discrimination in educational settings may not have come to the forefront. Because they were argued in a legal setting, the cases paved the way for legislation that extends equal opportunities for women to campuses across the nation.

Selecting the Method

We have demonstrated that destructive conflict is costly to everyone involved. The least costly approach to conflict management is to prevent it altogether; however, this is not always possible. The next most costly approach is to address the conflict after it has grown somewhat, but before it has wreaked complete havoc upon the individuals, team, or organization. The most significant costs of conflict emerge when we must resolve a full-blown episode. Not only does destructive conflict itself wield enormous costs, the resolution process often requires significant resources that would otherwise be invested elsewhere.

In light of these costs, it is advantageous to consider the conflict resolution strategies available and to select the least invasive process one could reasonably employ to resolve the issue. When one sets out to build a house it is important to procure a number of specialized tools, but it is even more important to understand the tasks at hand in order to employ the right tools at the right time. This also applies to resolving conflict in sports. When time is of the essence, some parties may benefit most from resolving the issue themselves. Litigation, on the other hand, is expensive and time-consuming, but it may be necessary to incorporate advocates when attempting to resolve certain types of conflict. Sometimes parties need help to create an environment that is conducive to conflict resolution, but they do not necessarily need or want to employ advocates. In such situations, seeking assistance from a neutral third party is often an effective, inexpensive strategy to resolve conflict.

What is the Nature of the Conflict?

When faced with a single episode of conflict, we must attempt to understand the complete nature of the problem in order to take appropriate steps to effectively resolve it. Intake and triage, terms commonly used in medical crises, are also used in the field of dispute resolution in reference to critical first steps.

Intake. If we aim to resolve a problem, it behooves us to collect as much information as possible about its nature. Who is involved? What events transpired? Are there time constraints around the issue or its resolution? What interests are at play?

Triage. When we have obtained as much information as possible through the intake process, we can sort through the available dispute resolution strategies and select the method(s) best suited to resolving the issue at hand.

The goals of this process are two-fold:

- 1) resolve the issue in the most appropriate and least costly manner *and*
- 2) gather information about the overarching systemic problem

Incorporating Neutrals: Who They Are & What They Do

Neutrals are not consultants. As the old proverb says, “Give a man a fish and you feed him for a day; teach a man to fish and you feed him for a lifetime.” Many organizations are familiar with consultants. Consultants are generally understood to be experts in a given field who are employed on a temporary basis at a high price to do some sort of work the regular employees are not equipped to perform. Most third party neutrals (e.g., mediators, ombuds, etc.) seek to distinguish themselves from consultants because they do not claim to be experts, nor do they rush in to tell everyone how to behave in some superhero effort to save the day. They are ordinary people with a very valuable skill set, but the help they provide is far more lasting than that of a consultant (or a superhero, for that matter), and it usually comes at a relatively low price.

Reducing costs through empowerment. Neutrals help teams and organizations see more clearly through the fog. They do not attempt to alter the situation, but they do help to shed a little light on things by allowing all stakeholders an opportunity to contribute to the conversation. Neutrals try to help individuals help themselves by getting to the underlying causes of the issue. Through participatory methods such as mediation, negotiation, and conflict coaching, neutrals teach administrators, coaches, and athletes how to successfully resolve their own conflicts, thereby reducing reliance upon costly advocates. While skills like heat of the moment conflict management do require time and practice to develop, they will significantly reduce the short- and long-term costs that destructive conflict imposes upon athletic organizations.

Participation yields more lasting change. A neutral’s ability to impart skills that achieve lasting change is largely dependent upon the purpose and the duration for which the individual is employed. A mediator can help two disputing parties to hear one another and to craft a mutual agreement. If, however, that mediator provides training to a group of athlete and coaches, those individuals will learn how to better resolve conflict in their own lives and the lives of those who may enlist their help. They gain skills that help them and their teams communicate effectively and achieve success, skills that will help them and their teammates spend more time in the game and less time in the box, on the bench, or in trial. When individuals are able to devise solutions to their own problems, they take ownership and they are more likely to follow through on agreements. They are generally more accountable because they were involved in creating the terms.

The need for systemic change. Unfortunately, many organizations only seek to put out the fire and return to business as usual. This is an opportunity forgone. The valuable opportunity to establish long-term institutional change must not be overlooked. It will require what may seem a

daunting amount of time, money, and effort; however, in the long term, the investment will result in a tremendous conservation of resources. Most intercollegiate and professional athletic organizations regularly spend tens or hundreds of thousands of dollars to address a single episode of destructive conflict. Not to mention the costs that extend well beyond the quantifiable realm. We can continue to scratch the surface and patch the holes with the world's most expensive repair kits, but if we do not address the issue on a foundational level, the floor is eventually going to cave in around us.

What if...? Exploring Real Examples of Conflict:

- Several former women's basketball players from Oregon State University recently came forward to inform athletic officials that their coach, LaVonda Wagner, engaged in destructive behavior that put her players at risk. "They [said] Wagner, 45, pressures athletes to play through serious injuries, threw a chair during a locker room tirade, ordered players to attend Weight Watchers sessions and once was kicked off a plane in front of her team after refusing to hang up her cell phone." During Wagner's four years at OSU, the women's basketball team lost 15 players, four assistant coaches, and four members of the team's support staff. Wagner was recently fired and has been replaced, but it remains uncertain whether OSU will have enough players left to piece together a team this fall.

How might this situation have played out differently if OSU had employed an ombuds? The players, clearly intimidated by Wagner (and likely concerned that their athletic careers and scholarships could be at risk), were afraid to speak up while they were enrolled at the university. What if they had discussed the situation with the ombuds during Wagner's first season? What if the ombuds had brought the conflict to the attention of athletic officials or discussed the matter with Wagner herself? How many of the associated costs could have been reduced or prevented?

- When the NBA suspended Ron Artest for 73 games following the "Malice at the Palace" in 2004, a lengthy battle ensued between the commissioner's office and the union about whether the incident took place on or off the court. If the fight was deemed an on-court incident, the NBA Commissioner David Stern possessed complete authority to determine Artest's punishment. If it was deemed an off-court incident, Artest and the other players charged were entitled to arbitration as outlined in their collective bargaining agreement. The union arranged for arbitration but officials from the NBA commissioner's office did not attend because they disagreed that the context permitted such proceedings. In the end, a judge ruled it an off-court incident and upheld the arbitrator's decision. The NBA relinquished its ability to influence that decision because officials did not attend arbitration.

How might this situation have unfolded differently if the NBA had employed a neutral to help administrators and union representatives work together to determine whether the event was to be considered on- or off-court? They may have saved hundreds of thousands of dollars on legal proceedings that proved essentially meaningless. With the exception of Jermaine O'Neal, whose suspension was reduced by ten games, the arbitrator upheld the full terms of the NBA's suspensions. Is it unfortunate that the Commission paid such a high price in litigation fees and incurred reputational damage to achieve a nearly identical outcome as the one which resulted from the method they steadfastly resisted.

The Method: Interests, Rights & Power

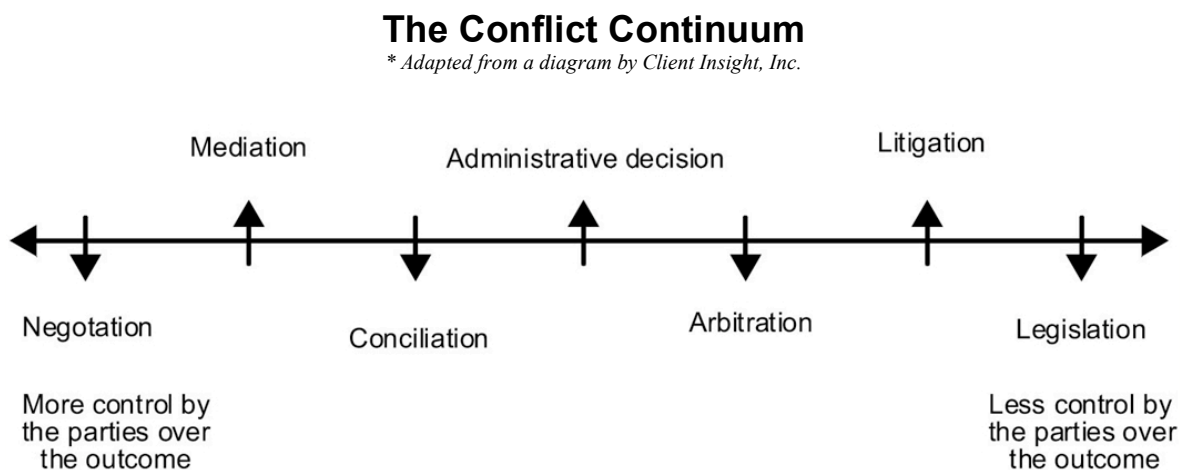
As we have previously stated, there is no single formula to successfully resolve conflict. There are a variety of methods one may employ, each of which may be appropriate and effective in particular circumstances. Experts in the conflict resolution field generally divide these methods into three broad categories based upon their general driving principles: interests, rights and power.

Interest-based methods recognize all parties as equals. They attempt to resolve conflict by identifying the interests of all relevant stakeholders. Then they devise mutually agreeable plans to ensure that most or all of the stated needs can be met. Mediation and interests-based negotiation are common interests-based procedures.

Rights-based methods rely upon independent standards in order to determine who is right and who is wrong. These rights may include stated legal rights, as well as socially accepted standards such as reciprocity or seniority. In many cases, the written law and social law may conflict, and parties may have difficulty deciding which rights supersede others. In most cases, rights-based methods involve a third party who determines the outcomes of such cases. Adjudication is a common rights-based procedure.

Power-based methods generally favor the party who possesses the power to impose greater costs upon the opposing party (or parties). The party who can impose such costs or threaten to do so is able to coerce the others into taking particular action. In general, most power contests are costly and destructive. Labor strikes and power-based negotiations are common power-based procedures.

The following figure places a number of common dispute resolution procedures along a continuum that ranges from interest-based methods on the left, rights-based methods in the center, and power-based methods on the right.



These strategies represent an array of tools, each of which is appropriate to address particular types of situations. Of the conflict resolution methods in the continuum above, litigation is by far the most commonly recognized method in Western culture. While litigation is an important and sometimes necessary approach to conflict, it is not appropriate or effective in all situations. If an athletic organization relies solely upon litigation to resolve disputes, it will not possess the resources to address issues until after they develop into costly legal issues. This approach is neither wise nor cost-effective. Athletic organizations need to obtain the education and resources to resolve conflict of all types and at all levels in order to achieve optimal performance.

Example. University of Oregon running back LeGarrette Blount was suspended from the team in spring 2009 due to behavioral issues. If Oregon athletic officials possessed the skills and resources to enable Blount and others involved to understand and resolve some of those issues, they may have been able to prevent the nationally televised punch that wreaked havoc on the university, the team, and Blount's career. What were the underlying reasons for his behavior? Did coaches or other athletic administrators attempt to fully understand the issue back in the spring of 2009 before things got out of hand? How might Blount's career be different if the UO football team educated players and coaches in conflict resolution strategies? Might the Ducks have won the Rose Bowl? Would Blount's media coverage focus upon his outstanding field performance during training with the Tennessee Titans instead of his violent responses to Titan defenders' on-field taunting?

The bulk of this paper will focus upon the lesser-known methods of dispute resolution. These strategies are sometimes grouped together as "alternative dispute resolution methods." Such terminology positions litigation as the central method and relegates all other methods to the periphery. This is unfortunate, as other methods have proven effective in countless situations. For this reason, many conflict resolution practitioners have embraced the term "appropriate dispute resolution" to acknowledge the full spectrum of viable options (including litigation), each of which can be appropriately employed in specific types of circumstances.

Differentiating Between Interests and Positions

When conflict situations arise, we usually attempt to negotiate by asserting our position. We grow attached to a particular outcome and we attempt to justify to the other party (or parties) why we deserve it. Dispute resolution texts frequently refer to the orange example: Two children are fighting over the last orange in the house. A parent, in an attempt to fairly resolve the conflict, slices the orange in half. Although both children walk away with the same amount of fruit, neither is satisfied with the outcome. Why? That's the question no one thought to ask. The children were rooted in their positions ("I said I wanted it first!"), and the parent sought an easy resolution to the argument. As a result, they all neglected to consider why each child wanted the orange in the first place. As it turns out, one child wanted the pulp to make juice. The other wanted the rind for a recipe. Half the orange does not meet the interests of either. If, however, the children were able to let go of their positions and discuss the reasons *why* they each wanted the orange, they could have easily devised a mutually satisfying resolution.

When parties are willing to express their interests and consider the interests of others, they are better able to devise solutions that are amenable to all. If disputing parties remain fixated on positions as opposed to interests, they often become stuck in a repetitive, ego-driven dialogue

revolving around justifications of entitlement. They stop listening to each other. The conflict grows as the discussion becomes increasingly personal and emotional. While the orange example represents a relatively simple conflict between siblings, the underlying principle can be effectively applied to even the most complex, multi-party disputes. Focusing on interests prevents the enormous costs of conflict from escalating further.

Assessment: What it is & Why it Matters

While conflict may manifest similarly across a number of situations, the causes are varied. For this reason, it is critical to consider all contributing variables when identifying an appropriate method (or methods) to resolve conflict in a particular situation or sport. We must develop a new, deeper level of understanding in order to develop effective strategies for resolution.

Assessment attempts to establish a complete picture of the situation and the various interests at play. It is a critical step toward understanding the layers of conflict and identifying the parties (or stakeholders) involved. As we discussed previously using the toolbox analogy, we must develop an understanding of the task at hand before delving in to attempt repairs. If we do not understand the problem, our efforts are likely to cause more harm than good.

An assessment should ideally be conducted by a neutral outside party. This ensures impartiality when attempting to construct a large-scale picture of the landscape. It also enables stakeholders to speak openly and anonymously about sensitive issues. While an involved party may feel he or she is able to conduct an objective assessment, other stakeholder parties may disagree. The assessment process may involve a number of diagnostic tools to ensure that the written summary represents all relevant viewpoints. Because some groups or individuals may be resistant to ideas associated with particular groups or individuals, anonymity is critical to ensuring that the interests—and not the associated positions—are represented. Non-attributable interviews and anonymous surveys are common methods of gathering information from a range of constituents. It can also be useful to analyze past examples of conflict to understand the contexts from which the issues emerged and the ways in which they were addressed.

When the individual conducting the assessment feels that he or she has obtained all of the relevant information, he or she should circulate the written assessment amongst the various parties involved to ensure that all relevant interests are accurately presented. If any party proposes revisions, the individual conducting the assessment should incorporate the suggestions and re-circulate the document until all parties agree that the assessment completely and accurately represents the issue at hand.

While this process may seem tedious, it has proven more efficient and cost-effective than traditional top-down approaches. The primary reason is that thorough, accurate assessment takes into account all relevant stakeholder interests. Conflict resolution strategies that evolve from such assessments generally do not encounter the powerful resistance that frequently spoils well-intentioned solutions developed by only a small percentage of stakeholders. When all the interests and variables are on the table for consideration, parties are generally able to develop solutions that are durable and agreeable to all.

The assessment provides an organization with a map of the issue and enables its members to implement conflict resolution tools that effectively address specific needs and interests. We cannot expect that a blanket approach to conflict resolution will effectively address all types of conflict. A women's golf team faces very different challenges than a men's football team. Intercollegiate coaches have different concerns than professional coaches. The approach to conflict resolution must reflect these differences in order to meet the needs and goals of various organizations and individuals.

“We must not be lured into forced algorithmic solutions... Rather, there needs to be a process by which experienced, objective, and careful judgment resolves the issues.”
-Myles Brand, State of the Association 2009

Diagnoses

More specifically, the goal of the assessment is to obtain answers to the following questions, adapted from Ury, Brett & Goldberg:

- 1) *What is the nature of the dispute? Whom does it involve? Has this type of dispute occurred before?*
- 2) *How has the dispute been addressed thus far? How has it been addressed in the past, if applicable?*
- 3) *Why was this procedure used to address the dispute as opposed to others?*
- 4) *What prevents the existing system from successfully resolving this dispute? Is there a lack of procedures, skills, motivation or resources?*

The answers to these questions will help to inform what type(s) of dispute resolution method(s) is (are) best suited to the issue at hand. It is also important to understand the specific costs and benefits associated with the particular conflict when answering the questions above.

There are a number of approaches to address conflict, each of which can be associated with particular costs and benefits. In general these outcomes can be divided into four interrelated categories:

- *Transaction costs – time, money, energy, lost opportunities*
- *Satisfaction with outcomes – frequently associated with perceived fairness*
- *Effect on the relationship – may include improvement, damage, dissolution, etc.*
- *Recurrence – may involve one party, both parties, or different parties within the same organization*

When the assessment is complete, the group is well positioned to begin devising a dispute system that includes a method (or methods) that will effectively resolve the conflict situation outlined in the assessment.

Turning to a System that Works: “Negotiating on the Merits”

How can we know that this new dispute system will be of any help? It’s easy to become jaded when we continue to encounter similar types of costly conflicts time and time again—especially if the situations never seem to truly be resolved. Sometimes we’re willing to accept the costs because we’ve given up on the idea that a satisfactory resolution is attainable. There are too many emotions, personalities, past incidents... We are afraid of stoking the fire.

The Harvard Negotiation Project has devised a structure called “Negotiation on the Merits” that outlines guiding principles for addressing “difficult conversations”:

People – Separate the people from the problem

Interests – Focus on interests, not positions

Options – Generate a variety of possibilities before deciding what to do

Criteria – Insist that the result be based on some objective standard

“The People Problem.” Many times in conflict situations, it is easy to place responsibility for resolving the problem on the other parties involved. We perceive them as stubborn or insensitive, and we become unwilling to consider perspectives other than our own. This approach is costly. It risks alienating the other parties and often prohibits resolution altogether. While it is generally not advantageous to assume a soft approach in these kinds of conflict negotiations or to prioritize the other party’s interests above our own, it is important to try to understand the other party’s point of view. This does not mean we will necessarily agree with their perspective. It will, however, enable us to better understand their interests. The conflicts that emerge between individuals and organizations are only personal to the extent that they involve people. When our interests are not met, we frequently place the blame on the person we believe has prevented these needs from being met. Rarely do we pause to consider that person’s needs or to question whether he or she has any idea that his or her actions have a bearing upon whether our own interests are met.

For example, it is easy to place all of the blame upon LeGarrette Blount for the Boise State incident in 2009. While we do not seek to minimize Blount’s responsibility for his actions, we do recognize that the incident was much larger than the people involved. We can remove players like Blount from our teams, but the problems will persist. Sooner or later, another Blount with a different name and a different face will emerge on the scene. If we continue to focus on people as the problem, we will never resolve the underlying systemic issues.

Interests. We have already committed a great deal of this paper to discussion of interests over positions. We include it again here because it is central to effective conflict resolution.

Options. When we are attached to a particular position, we rarely recognize other options that may just as readily satisfy our interests. If we approach conflict resolution with a win-lose mentality, we will neglect to identify mutually satisfying outcomes. “My way or the highway” has cost a lot of athletes, coaches, and administrators a great deal of time, money, and pain.

Criteria. The options we generate need to be relevant. We will save ourselves a great deal of time and energy if we utilize an objective standard to create available options. Conflicts occur within contexts that uphold established criteria (e.g., universities, athletic departments, professional institutions, etc.). It is important that we understand and pay respect to these criteria when generating options. For example, contract negotiations should be based upon market rates and industry standards. A Division III assistant coach cannot reasonably demand a salary equivalent to that of a Division I head coach, nor should the administration offer him or her a contract that is far below the going rate. NCAA standards are another example of criteria upon which we may rely to devise amenable resolutions to sports-related conflict. Objective criteria enable parties to devise practical resolutions in a more timely and cost-effective manner.

Establishing a Consensus-Based Approach

We discussed the consensus-based approach at great length in *Preventing Sports Conflict*. We will reiterate some of that information here because consensus building (an interests-based approach) provides for some of the most effective, durable resolutions to even the most destructive forms of conflict.

Consensus building is a concerted effort to meet the interests of all the stakeholders. Reaching consensus, while often time-consuming, is a realistic and attainable goal—even in the most complex disputes. Consensus does not necessarily imply unanimity or that everyone is going to hold hands in agreement. Dr. Lawrence Susskind, Harvard professor and founder of The Consensus Building Institute, writes, “Consensus has been reached when everyone agrees they can live with whatever is proposed after every effort has been made to meet the interests of all stakeholding parties.”

This approach enables all parties affected by the issue to voice concerns and propose solutions. It does not imply that every person will get his or her way. They won’t. It means that, if parties do not achieve their ideal outcome, they will have some idea why (e.g., about how it would negatively impact others). They will then be invited to help devise an acceptable alternative that meets the interests of all parties.

Consensus building approaches may include outside practitioners. If the assessment or dispute system design process involves an outside practitioner, that individual does not waltz in and attempt to fix the organization. He or she collects information about the organization’s strengths and weaknesses and then uses that information to help the organization amend or develop its own dispute system to resolve the issue. An outside practitioner is generally not able to learn enough about an organization during a brief period of time to propose durable solutions to its problems. Instead, the practitioner helps the organization to devise its own solutions that are consistent with its own traditions, values, and environment. When the solutions reflect the culture of the organization, they are more likely to be durable and successful.

Consensus building is critical to developing successful athletic teams because it enables all parties to contribute to the goals, rules, and culture of the team. In fact, though the terminology may be new, the athletic community is no stranger to the concept. Collective bargaining is a well-established example of a consensus-based approach. Such procedures establish a sense of ownership and accountability, as well as a shared sense of purpose among contributing members.

Consensus based approaches also establish clearly defined codes of conduct. When players and coaches work together to establish the rules, there is little room for the misunderstandings and inconsistencies regarding implementation that commonly occur in intercollegiate athletics.

“Our decision-making must be based on evidence, rather than intuition or anecdote. It must be inclusive and ensure that all key stakeholders have the opportunity to have their perspectives heard and their supporting data presented.”

- Myles Brand, State of the Association 2003

Strategies for Resolving Conflict in Sports

As we discussed in *Understanding Sports Conflict* “Context is Key,” sports-related conflicts require a specialized approach. They frequently occur in a physically-oriented realm with high stakes and a great deal of pressure. They also vary greatly across sports and the various individuals who may be involved (e.g., administrators, coaches, athletes, spectators, etc.). We must consider context when devising strategies to address specific types of conflict. The following examples of conflict resolution approaches have proven particularly effective when employed in sports-related contexts.

Conflict Coaching

Conflict coaching helps athletic organizations to develop the tools to manage conflict effectively. By acknowledging that conflict will occur, conflict coaching enables coaches and team leaders to create an environment in which it can be addressed efficiently and effectively.

It is never too late to learn and strengthen conflict resolution skills; however, there is a great deal to be gained through early conflict resolution education. Dr. Donald Staffo, chairman of the Department of Health and Physical Education and former athletic director at Stillman College, writes, “When teachers or coaches disregard a student-athlete who clearly exhibits a propensity for violent behavior, they forfeit the opportunity to become agents of change and positive role models.” Research has demonstrated that positive role modeling and skill building in youth sports prevents incidents of violence among adult athletes.

Conflict coaching strengthens the systems and procedures that assist sports organizations in dealing with conflict that occurs among players, coaches, fans and referees, while also identifying areas of potential skills trainings for individuals and participants.

Student-Athlete Peer Mediation

Student-Athlete Peer Mediation Teams are a critical resource for resolving conflict in sports at the collegiate level and beyond. By training intercollegiate student-athletes to become conflict specialists, institutions develop a core group of student-athletes who possess the skills to address conflict as it arises. Mediation training imparts critical life skills, including: impartiality, non-violent communication, active listening, collaboration and focus. Through peer mediation, student-athletes learn to identify common interests among parties in dispute and devise strategies to fulfill these interests. These students further empower themselves and others by facilitating healthy conflict resolution within their teams and the greater sports community.

Peer mediation has been widely adopted in academic institutions around the country. Administrators and students agree that when students are able to sit down together and work through their own disputes, the outcomes are more durable than those generally achieved through a top-down disciplinary approach.

"...Individuals who are able to use the information they have accumulated to provide others with a new understanding of an old problem, and/or to anticipate future issues and implications from the data they have acquired, religiously follow a systematic process for extrapolating that kind of information. Implicitly, or explicitly they are continually engaging in the kind of critical thinking and assessment that is associated with the development of scientific theories. They have practiced that type of thinking until it becomes automatic." - Robert M. Nideffer, author of *The Inner Athlete*

Ombuds: Finding the Middle Ground

Colorado Rockies Coach Jim Tracy advocates addressing conflict directly. "I'm a big believer in bringing it to the forefront. It has to be discussed; there has to be some type of resolution. You can't hem-haw around it. You have to run right up at it and stare it in the face."

Athletes and coaches agree that much of the destructive conflict that exists on and off the field is due to poor communication. Conflict is inevitable; it is how we handle it that can make or break a game, a season, or a career. President of the Track and Field Athletes Association Khadevis Robinson suggests incorporating a third party to coordinate clear and timely communication between leadership and athletes. "What is needed is an athletes' ombudsman. An ombudsman is a person who acts as a trusted intermediary between an organization and some internal or external constituency while representing the broad scope of constituent interests."

Some organizations choose to employ an ombuds (sometimes referred to as ombudsman or ombudsperson) to help employees, managers, and other parties find ways to resolve conflict. Mary Rowe, MIT Ombudsperson and founder of the International Ombudsman Association, defines an organizational ombuds as:

A neutral or impartial manager within a corporation, who may provide confidential and informal assistance to managers and employees in resolving work-related concerns, who may serve as a counselor, go-between, mediator, fact-finder or upward-feedback mechanism, and whose office is located outside ordinary line management structures.

External ombuds serve a similar function to the organizational ombuds described above, but they may work on a part-time basis for more than one organization. The only practical difference between internal and external ombuds relates to cost and available hours. Many organizations choose to implement an independent internal ombuds office so that all members of the institution have access to confidential services at all times. Other organizations may not be large enough to necessitate a full-time position

Ombuds have an opportunity to work with a number of stakeholders through a variety of conflict situations. They ask questions and attempt to identify the underlying causes of conflict through confidential interviews and consultations. Ombuds also allow stakeholders to vent their emotions

without jeopardizing their positions or igniting further conflict. When parties feel they have been heard, they are better able to hear others and they are more willing to try to understand other points of view. Because ombuds' work enables them to see the larger picture through the eyes of many different stakeholders, they are also well positioned to identify conflict trends and recommend areas for organizational or institutional change.

Some university athletic administrations have recently established ombuds offices. In June 2010, Michigan State University hired former MSU defense back and NFL veteran to serve as Associate Athletics Director for Administration and student-athlete ombudsman. Alan Haller believes that, as a former Spartan, he can relate to student-athletes while providing professional perspective. While Haller does serve an administrative position, his role as student-athlete ombudsman may enable MSU athletics administration to establish a more effective channel of communication between the offices and the field, improving relations and extending support to players and teams.

Team Accountability Model

In *Preventing Sports Conflict* "Dispute System Design," we outlined steps to design a dispute resolution system that addresses the needs of a particular institution. The Team Accountability Model employs a consensus-based approach by designing the system within the team itself. Athletes are well positioned to create their own dispute systems because they are familiar with the challenges they face on a daily basis. When players are able to discuss existing conflicts and develop methods to resolve them, they are more accountable than when the methods are imposed by administrators or outside practitioners. They believe in the structure because they helped to develop it.

Some teams, depending upon the number of members, may choose to elect representatives to a leadership council that helps to resolve conflicts within the team. The council may have the authority to refer teammates to peer mediation, recommend punishments, and communicate critical issues to coaches. We have already discussed in detail the merits of a consensus based approach to conflict resolution. Athletic success frequently depends upon teamwork. The Team Accountability Model establishes a leadership community within the team, which enables team members to operate cohesively both on and off the field.

BENEFITS OF CONFLICT RESOLUTION IN SPORTS

While the obvious benefits include optimal performance, increased wins, increased revenues, and decreased costs; conflict resolution in sports also yields other societal benefits.

A Unique Context for Understanding, Preventing and Resolving Conflict

Although sport is a challenging arena in which to employ conflict resolution skills, it is also a natural one. Few life situations uphold established rules and goals, present clearly defined winners and losers, and can be easily observed. For these reasons, sport presents a unique context for understanding, preventing, and resolving conflict. It can even serve as an opportunity through

which to resolve long-standing social and political disputes. Sport offers something to agree upon when two parties cannot identify a single shred of common ground. It brings individuals face to face with others who share their passion, drive, and love of the game.

The Messages We Send

The media tend to focus coverage on sports with high levels of conflict. Within this coverage, the most destructive episodes of conflict receive the most attention. As a result, we may perceive certain sports as being especially prone to conflict—perhaps to such a degree that we fear resolving the conflict will simultaneously dissolve the sport. While this fear is understandable, it is unwarranted. Our children idolize athletes. How might they handle conflict differently themselves if they observed their athlete role models cooperating to work through conflict as frequently as they see them yelling obscenities at officials and roughing up their opponents? What are the opportunities we are missing while this cycle of destructive conflict continues to flood our media channels and our children’s young minds?

Sport as a Medium for Change

Former British Prime Minister Tony Blair recently launched Beyond Sport, an international initiative to utilize sport as a channel through which to create positive social change:

Sport is often the best anti-crime policy, the best public health policy, the best way to bring people together... I have always thought we don't make nearly enough use of sport ... as an instrument of change.

Athletes, coaches and administrators have firsthand knowledge of the many benefits of sport. We have seen its power to bring people together, to raise confidence, to inspire regional and national pride. The negative attention frequently focused upon intercollegiate and professional athletics inhibits this potential. How can we broaden the focus and make full use of all the good that competitive sport has to offer?

Breaking Down Social Barriers

Although we not have fully utilized sport as a vehicle for positive change, some social groups can indeed attribute notable progress, at least in part, to participation in sports. Despite the fact that female athletes do not receive equal recognition for their athletic achievements, sports have played an integral role in removing gender barriers beyond the realm of athletics. Economist Betsey Stevenson states that, like men, women who play sports in high school earn larger salaries and assume higher career positions:

Athletics is a highly regulated system in which social conflict is displayed in a positive light. From this, players learn how to compete and how to operate successfully under a formal code of rules and procedures.

Athletes employ skills they acquire through sports in all aspects of their lives, including the workplace. Females who grow up playing sports excel in career fields previously dominated by males because they are comfortable and adept in navigating highly competitive environments.

The Olympics has been a venue for nations to come together and celebrate competition for decades. Such high-profile athletics have little room for destructive conflict. Olympians recognize the significance of the contest, and they command respect and admiration from spectators and fellow athletes around the world. Many Olympians do not share a common language, but they possess a common dedication to sport in its purest form. Their commitment to the core competencies we have discussed throughout these papers brings them together, with the rest of the world watching, to celebrate the skill and the values that underlie centuries of tradition.

CONCLUSION

In this paper, we have outlined a number of approaches to resolving conflict in sports. We have described several models available and we have emphasized the importance of thorough assessment before selecting the dispute resolution model best suited to a particular situation. Conflict can be complicated. It can be emotional. It can be muddled by positions and personalities. If, however, we are able to negotiate on the merits, we can develop consensus-based solutions that are amenable to all stakeholders.

Negative conflict is not inherent to sport. It can be prevented and resolved. The costs can be reduced or avoided altogether. Effective conflict resolution takes time, and it may involve a number of individuals both inside and outside the organization; however, the investment will yield long-term benefits that far outweigh the cost of a short-term patch-up. It is time to continue the work of Myles Brand to reflect the talent, integrity and dedication of our players, teams, and coaches. Not simply because it's the right thing to do—it is a necessary action to continue the growth of the industry, optimize competitive performance, and protect the good will fundamental to sport.

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